



Washington, Wednesday, February 16, 1944

Regulations

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

[W. D. Circ. 45]

PART 36—CLAIMS AGAINST THE UNITED
STATES

PAYMENT OF DISCHARGED OR SEPARATED
MILITARY PERSONNEL

Section 36.70, pertaining to claims for pay and allowances of military personnel remaining due and unpaid subsequent to discharge and final payment, is added as follows:

§ 36.70 *Claims for items of pay and allowances remaining due and unpaid subsequent to discharge and final payment*—(a) *Authority*. Pursuant to a decision of the Comptroller General of the United States, B38066, 16 November 1943, the procedures prescribed in this circular will govern claims of personnel of the Army of the United States for items of pay and allowances remaining due and unpaid subsequent to discharge and final payment. (See paragraph (e).) The authority for making payments of this nature is confined to cases wherein no construction of law is involved and the right of a payee is clearly defined.

(b) *Classes of payments.* Effective 1 January 1944, personnel of the Army of the United States who have been discharged from the service, relieved from active duty (paragraph (d), or transferred to the Enlisted Reserve Corps, on or after 1 January 1944, and who were not paid items described in subparagraphs (1) to (7) of this paragraph may be paid by disbursing officers on properly certified supplemental final payment vouchers. Items which may be paid on such supplemental vouchers are:

(1) Pay and allowances for one or more calendar months or fraction thereof due for periods of service on and after 1 January 1944.

(2) Items of additional pay as prescribed in Army Regulations due for periods of service on and after 1 January 1944.

(3) Travel allowances or mileage due for travel commencing on or after 1 January 1944.

(4) Soldiers' deposits made on or after 1 January 1944, and interest thereon.

(5) Repayment of erroneous collections regardless of when made or the period involved. See paragraph (e).

(6) Repayments to allotments and family allowances originally deducted in error, regardless of when such deductions may have been made, or the period involved. See paragraph (e).

(7) Repayments to allotters of allotments and family allowances originally deducted regardless of when such deductions may have been made or the period involved when supported by letter or other notice from the allotment agency indicating that allotment or family allowances was not paid to the allottee.

(c) *Discharge certificate or certificate of service lost.* Payment may not be made to former enlisted persons who cannot produce a Discharge Certificate or Certificate of Service (in case of personnel transferred to Enlisted Reserve Corps only), and vouchers so presented will be forwarded by the disbursing officer by letter of transmittal to the Office of the Fiscal Director, Army Service Forces, Attention: Receipts and Disbursements Division, The Pentagon, Washington 25, D. C. The person in whose favor the voucher is stated will be furnished a copy of the letter of transmittal for his information.

(d) *Personnel entitled to pay and allowances of officers.* Officers discharged or relieved from active duty on or after 1 January 1944, and who are properly entitled to the classes of payments as provided in paragraph (b) of this section and for which payment has not been made, may make application therefor to the disbursing officer who settled his final pay account. Disbursing officers may make payment of such accounts subject to the provisions of this circular. Claims of this nature which cannot be developed by the disbursing officer to whom submitted or which are considered by him as not properly payable should

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be forwarded to the Office of the Fiscal Director, Army Service Forces, Attention: Receipts and Disbursements Division, The Pentagon, Washington 25, D. C., by letter of transmittal giving all facts in the cases, together with the statement by the disbursing officer, if correct, that no action has been or will be taken with a view toward payment of the claims transmitted.

(e) *Claims not affected by this section.* Nothing contained in this section will be construed as affecting claims for proceeds of undelivered checks forwarded to the General Accounting Office; lost, stolen, or destroyed official checks or claims for refunds of amounts collected as result of Notices of Exception issued by the General Accounting Office. The provisions of this section will not operate to prevent refunds of erroneous deductions for allotments or repayment of erroneous collections under the provisions of Army Regulations. (R.S. 161; 5 U.S.C. 22) [Pars. 1, 2, 5, 8 and 9, Cir. 45, W.D., 2 February 1944]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-2197; Filed, February 15, 1944; 10:01 a. m.]

Chapter VII—Personnel

PART 77—MEDICAL AND DENTAL ATTENDANCE

CIVILIAN DENTAL ATTENDANCE; RENDITION AND PAYMENT OF ACCOUNTS

Sections 77.43 (b) (1) (8 F.R. 2226) and 77.44 (7 F.R. 7476), pertaining to civilian dental attendance, are amended as follows:

§ 77.43 Civilian dental attendance. * * *
(b) *Routine or extensive dental attendance.* (1) Civilian dentists may not be employed at Government expense for the treatment of chronic lesions, filling operations, prosthetic replacements, and other prolonged or extensive procedures, such as those required following the relief of an immediate emergency, until specific authority for such employment has been received from commanding generals of service commands; except that, in the case of military personnel on duty without troops in foreign countries, dental services of this character which is urgently necessary may be procured at reasonable rates without special authority: *Provided*, That this will not apply to the employment of civilian dentists

for elective dentistry. (R.S. 161; 5 U.S.C. 22) [Par. 5, AR 40-510, 31 July 1942, as amended by C 2, 4 February 1944]

* * * * *

§ 77.44 *Rendition and payment of accounts.* Accounts will be prepared in the name of the dentist on W. D. M. D. Forms Nos. 25 and 25a (Public Voucher for Medical Attendance), and forwarded for settlement to the commanding general of the service command in whose territorial limits the organization of the individual(s) is located. In such cases as present unusual or difficult aspects, commanding generals of the service commands will request advice and recommendation from the Surgeon General. Blank forms will be obtained in accordance with current directives. (R.S. 161; 5 U.S.C. 22) [Par. 6, AR 40-510, 31 July 1942, as amended by C 2, 4 February 1944]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-2198; Filed, February 15, 1944;
10:01 a. m.]

TITLE 29—LABOR

Chapter VII—War Manpower Commission

[Regulation 5]

PART 906—REGULATION GOVERNING
APPEALS

Pursuant to the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139 and 9279, Part 906, §§ 906.1 to 906.9 inclusive, effective May 22, 1943, entitled "Regulation Governing Appeals," (8 F.R. 6816) is hereby amended, effective March 13, 1944, to read as follows:

Sec.

- 906.1 Right of appeal.
- 906.2 First appeals stage; area level.
- 906.3 Second appeals stage; regional level.
- 906.4 Appeal to the Chairman of the War Manpower Commission.
- 906.5 Effect of appeal on action appealed from or on further action in accordance with decision appealed from.
- 906.6 General provisions.

AUTHORITY: §§ 906.1 to 906.8 inclusive, issued under E.O. 9139, 7 F.R. 2019, E.O. 9279, 7 F.R. 10177, and E.O. 9328, 7 F.R. 4681.

§ 906.1 *Right of appeal.* Any person who claims that any action taken, action denied, or decision rendered with respect to him, with respect to his employer or with respect to any of his workers, under any War Manpower Commission regulation, program or policy, is unfair or unreasonable as applied to him, or is inconsistent with any such regulation, program or policy, may appeal from such action or decision in accordance with the provisions of this regulation.

§ 906.2 *First appeals stage; area level.*—(a) *To whom appeals taken.* In areas for which an Area Manpower Director and an Area Management-Labor War Manpower Committee have been appointed, appeals shall be taken to such Committee and hearings shall be afforded before such Committee, or,

at the discretion of that Committee, before one or more Area Appeals Committees composed of an equal number of representatives of management and labor (including agricultural representation, as provided in § 906.6 (h)), selected by the Area Manpower Director from a panel chosen by the Area Management-Labor War Manpower Committee. The Area Director, or his designated representative, shall serve as the non-voting chairman of the Area Management-Labor War Manpower Committee in appeals hearings and of the Area Appeals Committees.

(b) *Decision at first appeals stage.* (1) At the first appeal stage, a decision shall be rendered on the merits of the case on the basis of the record of the action from which appeal is taken and the evidence presented at the hearing. The decision by a majority of the Committee shall be final unless further appeal is taken in accordance with § 906.3 (a) of this regulation. Members of the Committee may file majority and minority reports. In the event of a tie vote, the case, including the complete record thereon, shall be transmitted promptly to the Regional Management-Labor War Manpower Committee for review and decision in accordance with § 906.3 (b) and (c) of this regulation.

(2) An Area Management-Labor War Manpower Committee may take jurisdiction of, hear and render a decision, which shall supersede any decision rendered by an Area Appeals Committee, on any case assigned by that Committee to an Area Appeals Committee, at any time after the assignment of the case to an Area Appeals Committee and prior to the expiration of the period for further appeal or the filing of a further appeal to the Regional Management-Labor War Manpower Committee.

(c) *Intermediate appeals stage between area and regional levels.* A Regional Manpower Director, with the specific approval of the Chairman, may, with respect to an area presenting special problems and for which a duly constituted Management-Labor War Manpower Committee is functioning, provide for an intermediate review stage between the area appeals stage and the regional level. The review of appeals at such an intermediate review stage shall be subject, in all respects, to the procedures and requirements set forth in this regulation with respect to review of appeals at the regional level.

§ 906.3 *Second appeals stage; regional level.*—(a) *Who may appeal to regional level.* Any person who (1) has a right to appeal as provided in § 906.1 of this regulation and (2) has attended the hearing at the area appeal level in person or by a representative, or shows good cause for his failure to attend such hearing, may appeal to the regional level within the time prescribed for taking such appeal. Within the same time, the Area Manpower Director, upon his own initiative, may transmit any case for review at the regional level, after decision at the area level.

(b) *To whom appeals taken.* Further appeal from decisions at the area appeals

level shall be taken to the appropriate Regional Management-Labor War Manpower Committee which may at the discretion of that Committee, act through a Regional Appeals Committee composed of an equal number of representatives of management and labor (including agricultural representation, as provided in § 906.6 (h)), selected by the Regional Manpower Director from a panel chosen by the Regional Management-Labor War Manpower Committee. The Regional Manpower Director, or his designated representative, shall serve as the non-voting chairman of the Regional Management-Labor War Manpower Committee in appeals cases and of Regional Appeals Committees.

(c) *Decision at second appeals stage.*

(1) The Regional Committee shall render a decision on the basis of the record in the case unless, in its judgment a further hearing is necessary to enable the Committee to reach a fair and just decision. If the Committee determines that further hearing is necessary, the Committee may either conduct such hearing itself, or remand the case to the area level for such further hearing. The decision by a majority of the Committee shall be final unless further appeal is taken in accordance with § 906.4 (a). Members of the Committee may file majority and minority reports. In the event of a tie vote on a case in which a decision has been rendered at the area appeals level, the decision at that level shall be final unless further appeal is taken. In the event of a tie vote at both the area and regional appeals levels, the case, including the complete record thereon, shall be transmitted promptly to the Chairman of the War Manpower Commission for decision in accordance with § 906.4 of this regulation.

(2) A Regional Management-Labor War Manpower Committee may take jurisdiction of, hear and render a decision, which shall supersede any decision rendered by a Regional Appeals Committee, on any case assigned by that Committee to a Regional Appeals Committee, at any time after assignment of the case to a Regional Appeals Committee and prior to the expiration of the period for further appeal or the filing of a further appeal to the Chairman of the War Manpower Commission.

§ 906.4 *Appeal to the Chairman of the War Manpower Commission.*—(a) *Who may appeal.* Any person entitled to appeal from a decision at the area appeals level may appeal from a decision at the regional level to the Chairman of the War Manpower Commission, within the time prescribed for taking such appeal. Within the same time, the Regional Manpower Director, upon his own initiative, may transmit any case to the Chairman of the War Manpower Commission for review, after decision at the regional level.

(b) *Taking of jurisdiction by Chairman.* The Chairman of the War Manpower Commission may, in his discretion, take jurisdiction of any appeals case at any stage of the appeals process and render a final decision on that appeal.

(c) *Final decision by the Chairman.* The decision of the Chairman of the War Manpower Commission made after consideration of the record in the case and recommendations submitted by the National Management-Labor Policy Committee, shall be final in all cases.

§ 906.5 *Effect of appeal on action appealed from or on further action in accordance with decision appealed from*—
(a) *Effect of appeal.* Whenever in the first instance or pursuant to a decision on appeal, the War Manpower Commission or any agent or agency acting on its behalf or with its consent, issues a statement of availability to or makes a referral of any worker, neither the appeal of the employer nor any decision on such appeal (other than a final decision finding fraud or misrepresentation on the part of the worker) shall in any way prejudice the right of the worker to whom the statement or referral had been issued to accept new work on the basis thereof, or the right of an employer to retain a worker whom he has hired in reliance upon such statement or referral. In all other cases the taking of an appeal shall suspend the action appealed from pending final decision, unless the Chairman of the Committee to whom an appeal is taken specifically directs otherwise.

(b) *Immediate issuance of statements of availability or making of referrals.* Except as otherwise provided pursuant to paragraph (c) of this section, an individual found to be entitled to a statement of availability or a referral pursuant to a determination of the War Manpower Commission or any agent or agency acting on its behalf or with its consent, or pursuant to any appeal decision, shall be entitled to immediate issuance of such statement or referral notwithstanding any appeal or further appeal from such determination or decision.

(c) *Optional procedure with respect to issuance of statements of availability and making of referrals*—
(1) *Method of exercising option.* Any Area Manpower Director, after consultation with his Area Management-Labor War Manpower Committee, may elect to make applicable in his area the procedure described in this subsection with respect to issuance of statements of availability to and making referrals of workers. Such election shall be evidenced by an order issued by the Area Manpower Director, and approved by the Regional Manpower Director, a copy of which order shall be filed with the Chairman prior to the effective date thereof. Such election shall be effective until revoked by further order of the Area Manpower Director, approved and filed in the same manner. Any such election shall have general application in the area, and may not be made with respect to particular cases only.

(2) *Procedure governing suspension of issuance of statements of availability and making of referrals.* (i) In and only in any case in which it is determined by the War Manpower Commission, or any agent or agency acting on its behalf or with its consent, that a statement of

availability should be issued to a worker on the ground that continuance of his employment would involve undue personal hardship or that referral of the worker should be made to other available employment in which the individual will be more fully utilized in the war effort, the issuance of such statement of availability or the making of such referral shall be suspended for a period, designated by the Area Director, which shall not be more than three days from the date of notification to the employer of the determination to issue the statement of availability or make the referral.

(ii) The employer shall be immediately notified of the determination to issue the statement of availability or make the referral. If the employer does not file his appeal, in writing, within the period designated by the Area Director pursuant to subdivision (i) hereof, the statement of availability or referral shall be issued in accordance with such determination without prejudice however, to the employer's right to appeal therefrom on the merits as provided in this regulation. If the employer files his appeal in writing within such period, the issuance of the statement of availability or referral shall be suspended for a further period, designated by the Area Director, which shall not be more than ten days from the date of notification to the employer of the determination to issue the statement of availability or make the referral. If within such designated further period, the case has not been decided at the area level, the statement of availability or referral shall be issued immediately upon the expiration of such period. Except as permitted in this paragraph, no suspension of the issuance of a statement of availability or referral shall be directed or authorized.

(iii) If the employer, upon notification of a determination to issue the statement of availability or make the referral, indicates that he does not intend to appeal, the statement of availability shall be issued or the referral shall be made immediately; if the employer indicates his intention to appeal but does not perfect his appeal, in writing, within the period designated by the Area Director pursuant to subdivision (i) hereof, the statement of availability shall be issued or the referral made immediately upon the expiration of such period.

(iv) An Area Director may withhold the application of the procedure set forth in this paragraph for suspending the issuance of statements of availability and referrals as regards an employer whom the War Manpower Commission finds, after notice, hearing and final decision, to be arbitrarily and capriciously abusing his right of appeal under this paragraph and for so long as such employer fails to satisfy the Area Director that such abuse will be corrected.

§ 906.6 *General provisions*—
(a) *Notification of action or decision and right to appeal.* Any worker or employer who has a right to appeal from any action or decision shall be notified of such action or decision, and shall be advised at the time of notification of his appeal rights and of the method of taking an appeal, except that this paragraph shall be con-

strued to permit reasonable posting or publication of notices in cases in which personal notice is deemed impracticable.

(b) *Time for taking appeals.* Appeals to the area and regional levels shall be taken within the time prescribed by the Regional Manpower Director, which shall be not less than three and not more than seven days following receipt of notice or posting or publication of notice, as the case may be, of the action or decision. Appeals to the Chairman of the War Manpower Commission shall be taken within seven days following receipt of notice or posting or publication of notice, as the case may be, of the decision. When notice of the action or decision is given by mail, such notice shall be deemed to have been received on the second day following the date of mailing, and an appeal shall be deemed to have been taken on the date of mailing of a notice that appeal is taken.

(c) *Method of taking appeal.* Any person entitled to appeal as provided in § 906.1 of this regulation may give notice of his appeal in person, in writing, or in any other manner which duly apprises the War Manpower Commission of the taking of the appeal.

(d) *Notice of hearings and further appeal.* The appellant and any other person who following the decision to be made on appeal would be entitled to appeal, shall be given reasonable notice of the time and place of any hearing upon the appeal, and shall be promptly advised of any further appeal.

(e) *Appearance by interested persons.* Any worker or employer, group or organization of workers or employers, and other persons or organizations who claim to be prejudiced by any action which is the subject of an appeal under this regulation may be permitted by the Chairman of the Committee hearing an appeal from such action to attend and be heard at the hearing.

(f) *Right to representation.* Any action which any person or organization may take under this regulation may be taken on his behalf by his duly authorized representative.

(g) *Consolidation of appeals.* Whenever appropriate for the full and expeditious determination of common questions raised by two or more appeals, the Chairman of the Committee to whom such appeals are taken may consolidate them.

(h) *Agricultural management and labor representation.* Whenever agricultural employment is involved in an appeal, the Committee before whom such appeal is pending shall include representatives of agricultural management and labor.

(i) *Conduct of hearings on appeal.* All hearings on appeals shall be conducted informally and in a manner that will best develop the facts, and assure a fair and just decision in the matter, without regard to whether a worker or employer has erred as to the issues involved or as to his grounds for relief.

(j) *Decisions based on evidence presented at a hearing.* A decision of an appeal made on the record as provided in §§ 906.3 (c) and 906.4 (c) of this regulation shall be made exclusively upon evi-

dence presented at a hearing before a lower appeals committee, but written or oral evidence which is submitted subsequent to a hearing in an appeals case may be considered by the appeals committee which afforded the hearing or on any subsequent appeal, if all the parties agree in writing to the consideration of such evidence, or if such evidence is presented in the course of a subsequent hearing which all parties have been afforded an opportunity to attend, or if such evidence has been requested by the Committee before which the appeal is pending.

(k) *Impartial appeals committee.* Any person directly interested in the outcome of an appeal shall be disqualified from acting as a member of any appeals committee considering the appeal.

(l) *Committee attendance required for consideration of appeals cases.* On the hearing of appeals by Regional or Area Management-Labor Committees or by Regional or Area Appeals Committees, an equal number of representatives of management and labor, respectively, shall be present and participate as voting members of the committee.

(m) *Interim appeals committees.* At any appeals level for which a Management-Labor War Manpower Committee has not been appointed, appeals shall be taken to, and hearings shall be afforded before, an Appeals Committee in the locality composed of an equal number of representatives of management and labor (including agricultural representation, as provided in § 906.6 (h)), selected by the Regional or Area Manpower Director. A representative designated by the Regional or Area Manpower Director shall serve as the non-voting chairman of the Appeals Committee.

(n) *Inapplicability to special appeals.* Nothing in this regulation shall be construed as applicable to actions taken or decisions rendered under War Manpower Commission Regulations Nos. 1 and 6, or Executive Order No. 9309, or to transfers between Executive departments or agencies of the Federal Government under Executive Order No. 9243.

(o) *Modification of other policies.* The provisions of any prior War Manpower Commission policy, program, regulation or other direction, to the extent that they are inconsistent with this regulation, are hereby modified to conform with the provisions of this regulation.

PAUL V. McNUTT,
Chairman.

FEBRUARY 11, 1944.

[F. R. Doc. 44-2200; Filed, February 15, 1944;
10:35 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration [Amendment 150]

PART 802—GENERAL LICENSES GENERAL IN TRANSIT LICENSES

Section 802.9 General licenses "GIT" is hereby amended in the following particulars:

¹ 8 F.R. 12288, 13228, 15239, 9 F.R. 835.

Paragraph (a) is hereby amended by adding thereto subparagraph (4) as follows:

(4) "Y countries" shall mean the following: Australia, Burma, India, New Zealand, Union of South Africa, British Colonies including only Aden, Bahamas, Barbados, Bermuda, British Guiana, British Honduras, Ceylon, Cyprus, Fiji, Gambia, Gold Coast, Jamaica, Kenya, Leeward Island, Nigeria, Northern Rhodesia, Nyasaland, Palestine and Transjordan, Seychelles Islands, Sierra Leone, Tanganyika, Trinidad, Uganda, Western Pacific Islands, Windward Islands, Zanzibar.

Paragraph (b) is hereby amended by adding to the table set forth therein the general license designation, countries of origin, and countries of destination, as follows:

| General license designation | Countries of origin | Countries of destination |
|-----------------------------|---------------------|--------------------------|
| GIT-Y/S: | "Y countries" | "S countries" |

There is hereby added to this section paragraph (i) as follows:

(i) No shipment shall be made pursuant to general license "GIT-Y/S," except when destined to Argentina, unless a British imperial export license specifying the nature of the shipment and ultimate consignee in the country of destination is surrendered to the Collector of Customs at the last port of exit from the United States.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority 20, 8 F.R. 16235; Delegation of Authority 21, 8 F.R. 16320)

Dated: February 11, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-2194; Filed, February 15, 1944;
9:35 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 3290—TEXTILE CLOTHING AND LEATHER

[General Preference Order M-51, as Amended Feb. 14, 1944]

PIGS' AND HOGS' BRISTLES

§ 3290.161 General Preference Order M-51—(a) Definitions. For the purpose of this order:

(1) "Bristles" means pigs' or hogs' bristles, including riflings, 2 inches or longer, whether new, reclaimed, raw, dressed, imported or domestic.

(2) "Dealer" means a person who purchases and sells bristles without changing their condition.

(3) "Dresser" means a person who grades, sorts, dresses, reclaims, or in any wise processes bristles.

Restrictions

(b) *Importation.* Notwithstanding any other order, rule, regulation or direction, or any certificate or authorization, no person other than Defense Supplies Corporation or United States Commercial Corporation shall import any variety of bristles of the categories known as "Chinese", "Indias", "Russians" or "Siberians". The importation of bristles of other categories shall be according to General Imports Order M-63, as amended from time to time.

(c) *Purchase and sale.* Unless otherwise authorized in writing by the War Production Board:

(1) *Undressed domestic bristles.* No person other than an approved dresser shall buy or accept undressed domestic bristles from a slaughter house. "Approved dresser" means a dresser so designated and authorized in writing by the War Production Board to process domestic bristles. This designation and authorization, which may be conditioned and limited by the War Production Board at any time, will be made when it approves of a dresser as capable of processing domestic bristles according to specifications fixed by the War Production Board. Applications may be made by a dresser at any time by submitting samples of his product, processed according to such specifications, accompanied by a letter describing his experience and equipment.

(2) *Dressed domestic bristles.* No person other than Defense Supplies Corporation shall buy or accept dressed domestic bristles.

(3) *Dressed imported bristles.* No person other than a dealer or dresser shall sell or deliver dressed imported bristles to a manufacturer of products containing bristles. No person other than a dealer or dresser shall buy or accept dressed imported bristles, except

(i) *Purchase for permitted use.* To manufacture brushes as permitted in subparagraphs (1) (Domestic and imported bristles) and (2) (Manufacture exceeding specific orders and disposal of excess) of paragraph (d), below.

(ii) *Purchase for inventory and inventory limit.* As may be necessary to enable him to manufacture for inventory brushes as permitted by this order, but not more than the quantity of brushes manufactured by him according to this order in the calendar month preceding that in which the order for such bristles is placed:

Provided, That his inventory of dressed imported bristles (as to both subdivisions (i) and (ii) above) does not exceed and to the best of his knowledge and belief will not thereby exceed, the greater of

(a) A practicable minimum working inventory, or

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(b) "One-quarter of the quantity, by weight, of dressed imported bristles consumed by him in 1943 in the manufacture of brushes according to this order as effective during 1943.

[NOTE: In 1943, this order, as issued November 30, 1942, July 7, 1943, and September 28, 1943, was in effect.]

(4) *Seller of bristles or bristle products.* No person shall sell or deliver bristles to a person prohibited by this paragraph (c) from buying or accepting them, or bristles or products containing bristles contrary to the provisions of this order or knowing or having reason to believe that the purchase, acceptance or use of them is not or will not be for use or to fill orders as permitted by this order.

(5) *Buyer of bristles or bristle products.* No person shall buy accept or use bristles or products containing bristles, contrary to the provisions of this order or knowing or having reason to believe that the purchase, acceptance or use of them is not or will not be for use or to fill orders as permitted by this order.

Use of Bristles

(d) (1) *Domestic and imported bristles.* Unless other uses¹ are specifically permitted in writing by the War Production Board, and regardless of the assignment of a preference rating, no person shall use domestic or imported bristles in the manufacture of any product, except as follows:

(i) *Dental plate brushes.* In 1944, 3-inch bristles may be used in the manufacture of dental plate brushes requiring not more than one pound of bristles for 120 brushes, in an amount not exceeding the manufacturer's use in 1942 of bristles, nylon or a combination of both for dental plate brushes.

(ii) *Shaving brushes.* In 1944, bristles, other than Chinese, may be used in the manufacture of shaving or lather brushes. The manufacturer may not use more than one-quarter of the quantity, by weight, of the bristles consumed by him in 1942 in the production of shaving or lather brushes.

(iii) *Military orders.* Upon specific orders for any product for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration. Dental plate brushes and shaving or lather brushes manufactured upon such orders shall not be charged against the quantity restrictions in subdivisions (i) and (ii) above.

(iv) *Export orders.* For export of brushes from the 48 states, the District

¹ Applications will be considered for permission to use India bristles shorter than 3 1/4" in the manufacture of miscellaneous brushes, and, in areas where labor shortages are known not to exist, to use additional quantities of bristles of other types in the manufacture of brushes.

of Columbia or the Territory of Alaska, upon specific orders accompanied by individual export licenses issued by the Foreign Economic Administration or upon specific orders from an agency of the United States for delivery pursuant to the Act of March 11, 1941, as amended, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(v) *Brushes for construction, maintenance, repair or operating supplies.* Bristles 2 to 3 1/4 inches long, inclusive, may be used in the manufacture of brushes, upon specific orders:

Provided, That no person shall order such brushes, except for necessary use in the construction, maintenance or repair of facilities required for producing any product or conducting any business, activity or service, listed on Schedule I or II annexed to CMP Regulation 5 or 5A, or listed on List A of this order, or for necessary operating supplies for any such purpose, or to fill specific orders therefor. However, reclaimed bristles of that length (such as comb stocks or paint stumps) may be used in the manufacture of spotting, cleaners', dyers', surgeons' hand or hair brushes.

(vi) *Special brushes for construction, maintenance, repair or operating supplies.* Bristles longer than 3 1/4" may be used in the manufacture of painters' brushes (such as brushes for the application of paint, lacquer, varnish, shellac and other protective coatings) paper hangers' paste brushes and billboard brushes, upon specific orders:

Provided, That no person shall order such brushes, except for necessary use in the construction, maintenance or repair of facilities required for producing any product or conducting any business, activity or service, listed on Schedule I or II annexed to CMP Regulation 5 or 5A or listed on List A of this order, or for necessary operating supplies for any such purpose, or to fill specific orders therefor.

Bristles of that length may be used only in the manufacture of such brushes, even if manufactured upon orders under subdivisions (iv) (Export orders), (vii) (Distributors' orders), or (ix) (Manufacturers as distributors of their own products) of this subparagraph (1).

(vii) *Limitation on orders.* No person shall order any brushes, referred to in subdivisions (v) and (vi) of this subparagraph (1), for delivery or accept them, during any calendar quarter, in a quantity exceeding his requirements for such maintenance, repair and operating supplies during any such quarter.

(viii) *Distributors' orders.* For the manufacture of brushes, of the kind referred to in subdivision (vi) of this subparagraph (1), and surgeons' hand brushes, for sale to persons authorized by the War Production Board to purchase them, upon specific orders endorsed with a certification substantially as follows:

The undersigned purchaser hereby represents to the brush manufacturer and to the War Production Board that he is authorized by the War Production Board to purchase the brushes shown on this purchase order, and that he is entitled to apply the preference ratings indicated opposite these brushes, and that such application is in accordance with Priorities Regulation 3, as amended, with the terms of which the undersigned is familiar.

Form WPB-547
Certificate No. _____

(Name of wholesaler, distributor or retailer)

(Address)

(Signature and title of authorized official or representative)

(Date)

Applications for that authorization may be made on Form WPB-547 (formerly PD-IX) by persons who propose to purchase them directly from the manufacturer and to resell them without changing their form.

(ix) *Manufacturers as distributors of their own products.* For the manufacture of brushes, of the kind referred to in subdivision (vi) of this subparagraph (1) and surgeons' hand brushes, for sale by the manufacturer directly to the consumer, as authorized by the War Production Board after application by the manufacturer on Form WPB-547 (formerly PD-IX). In granting such authorization, the War Production Board will give consideration to the extent to which the manufacturer customarily sold directly to consumers brushes manufactured by him.

(2) *Manufacture exceeding specific orders and disposal of excess.* The requirements in the next preceding subparagraph (1) (Domestic and imported bristles) that products be manufactured only to fill specific orders, shall not prevent the manufacture of minimum commercially practicable quantities of products exceeding specific orders:

Provided, That any excess manufactured in filling orders under subdivision (iii) (Military orders) of subparagraph (1) shall be sold only upon orders of the kind referred to in that subdivision (iii), and any excess manufactured from bristles longer than 3 1/4" shall be sold only upon orders of the kind referred to in subdivision (vi) (Special brushes for construction, maintenance, repair or operating supplies) of that subparagraph.

(3) *Existing stocks of brushes.* The restrictions in this order shall not apply to the manufacturer, jobber or retailer, as the case may be, with respect to brushes in his possession prior to July 30, 1943.

Conservation

(e) *Conservation.* Unless otherwise authorized in writing by the War Production Board, no person shall use in the manufacture of any product a mixture of more than 55% of pigs' or hogs' bristles or a combination of both.

Provided, That this restriction shall not apply to:

(1) The manufacture of dental plate brushes as described in paragraph (d) (1) (i), above.

(2) The manufacture of any product containing bristles none of which are longer than 2 $\frac{1}{8}$ inches.

(3) The manufacture of shaving or lather brushes for the United States Army, Navy, Maritime Commission or War Shipping Administration.

(4) The manufacture of spotting, cleaners', dyers', surgeons' hand and hair brushes out of reclaimed bristles as described in paragraph (d) (1) (v) above.

Equitable Distribution

(f) *Equitable distribution.* It is the policy of the War Production Board that bristles and products containing bristles, not required to fill rated orders, shall be distributed equitably. In making such distribution due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy, every seller of the items, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location, or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution, unless necessary to meet war or essential needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to concerns. A failure to comply with a specific direction shall be deemed a violation.

General Provisions(g) *Reports and communications—*

(1) *Imported bristles.* Every owner of imported bristles shall file with the Bureau of the Census, Department of Commerce, acting as compiling agent for the War Production Board, not later than the 10th day of each month, a report on Form WPB-431 (formerly Form PD-217), showing his holdings and consumption of imported bristles during the preceding month.

(2) *Domestic bristles.* Every owner of more than ten pounds of domestic bristles shall file with the War Production Board not later than the 10th day of each month, a report on Form WPB-2287 (formerly Form PD-781), showing his holdings and shipments of domestic bristles during the preceding month.

(3) *Reporting.* All reports required to be filed and all communications concerning this order shall unless otherwise directed in writing be addressed to the War

Production Board, Textile, Clothing and Leather Division, Washington 25, D. C. Ref.: M-51. The reporting requirements of this order have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds for the appeal.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Further restrictions.* No person shall sell, deliver, accept or use bristles or products containing bristles contrary to any specific direction which may be issued from time to time by the War Production Board.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

Issued this 14th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

NOTE: List A added February 14, 1944.

Ferro-alloys (including producers to whom serial numbers have been issued under Order P-68).

Iron Products (including pig iron, pipe, wire, wrought iron and foundry products and also producers to whom serial numbers have been issued under Order P-68). Steel rolling mill and foundry products (including semi-finished steel, bars, pipe, plates, sheets, strip, castings, forgings, structural shapes, piling, tin plate, terne plate, black plate, tubing, rails, track accessories, wheels, tires, axles, wire and wire products, and also producers to whom serial numbers have been issued under Order P-68).

Chemicals and allied products for industrial and military use (including automobile body polish and top dressing; candles; cleaning and polishing preparations for metal, leather, floors and furniture; household dyes; ink and ink eradicators; incense; toiletries and cosmetics, perfumes, powders and creams, manicure preparations, hair dressings, dyes, shampoos and tonics; dentifrices and depilatories).

Distillery machinery (including beverage). Food and food processing machinery equipment (including food dehydration machinery).

Special industry machinery not elsewhere listed (including tobacco manufacturing machinery and equipment and cosmetics machinery).

Lamp bulbs and tubes (including aircraft).

Agricultural machinery, implements and equipment (including farm and garden hand tools).

Coke and coke oven by-products (including producers to whom a serial number has been issued under Order P-68).

Containers of all types (including fiber drums, gas cylinders and ton containers, and nailed wooden boxes and crates).

Glass products not elsewhere listed (including mirrors).

Heating equipment (including electric and also heating system controls and hot water equipment).

Photographic equipment apparatus and materials (including projection apparatus).

Tools (including edge tools, hand tools, mechanics' hand service tools, gauges and machinists' precision measuring tools, files and rasps; and also farm and garden edge and hand tools).

Industrial food manufacturing, processing, packaging, preservation and storage (including drink and alcoholic beverages, and chewing gum, and also restaurants, hotels, retail stores, and farms).

Public utilities: gas, light, power, water and central heating and sanitation (including producers as defined in Utilities Order U-1).

Petroleum and natural gas production, transportation, refining and marketing (including that covered by P-98-b).

Smelting and refining (including producers to whom a serial number has been issued under P-73).

Wire communications industries (including operators as defined in Utilities Orders U-3 and U-4).

[F. R. Doc. 44-2182; Filed, February 14, 1944; 4:41 p. m.]

PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM [Preference Rating Order P-98-b, Direction 1]

MATERIALS PURCHASED BY EMPLOYEES OF OPERATORS FOR PRODUCTION CAMP FACILITIES

The following direction is issued pursuant to Preference Rating Order P-98-b:

(a) *Purpose of this direction.* An operator engaged in the production branch of the petroleum industry can request priorities assistance under Order P-98-b to secure material for use in connection with production camp facilities for his employees. As used in this direction and in any certification made under it, "production camp facilities" are those facilities of the same name included under the term "lease equipment", as defined in Petroleum Administrative Order No. 11, as amended and supplemented from time to time. Some operators construct and maintain such production camp facilities for all of their employees. Employees of other operators find it necessary to secure all or part of the materials with which to construct and maintain production camp facilities for themselves. This direction allows these latter employees under the conditions to be described in this direction to use preference ratings and allotment symbols to buy materials required for the construction of production camp facilities.

(b) *Use of employer's preference ratings and allotment symbols authorized.* (1) To secure material for the maintenance and repair of production camp facilities, an employee of a production operator may use preference rating AA-3, allotment symbol

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MRO-P-3, and the "special MRO procedure" of Order P-98-b.

(2) To secure material for use in connection with production camp facilities other than for maintenance and repair, an employee of a production operator may use preference rating AA-3 and allotment symbol PSO.

(3) The particular materials which may be secured with a preference rating and with an allotment symbol are indicated in Order P-98-b. The preference ratings and allotment symbols may be used pursuant to this direction to secure only that material which a production operator could obtain if he were using the ratings or symbols himself.

(c) *How preference ratings and allotment symbols are used.* A preference rating or allotment symbol authorized by the preceding paragraph will be valid only if the employee complies with the appropriate delivery order filing instructions of Order P-98-b (which include placing the standard certification of paragraph (r) of that order on the delivery order), and if, in addition, he gives the seller of the item the following certificate, filled out (with the preference rating and allotment symbol assigned above) and signed by his employer, and then by himself:

Preference rating and allotment symbol (specify rating and symbol) _____
The items on this (or on the attached) delivery order are required by the undersigned employee for use in connection with production camp facilities.

(Name and address of employer) _____

(Authorized signature) _____

(Signature of employee) _____

(Position) _____

(d) *Rules on the size of the houses which can be built.* Any production camp facilities built with the priorities assistance of this direction must conform with the War Production Board War Housing Construction Standards. These standards tell how large a house may be built depending upon the number of its rooms, and set forth other limitations. The production operator should be able to secure copies of the standards from the nearest War Production Board field office if he does not already have them. In the event the War Production Board issues an order governing the construction of housing and containing similar standards as part of the order, the standards of such order shall be used in place of the War Housing Construction Standards.

(e) *Records.* The employer must keep a copy of the employee's delivery order and of the certificate given to the employee for two years. The supplier who sells the items must keep the delivery order and the certificate given to him for two years.

Issued this 15th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2210; Filed, February 15, 1944;
11:23 a. m.]

are being made subject to General Preference Order M-246.

Issued this 15th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2206; Filed, February 15, 1944;
11:24 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 26 as Amended Feb. 15, 1944]

WHEN ALLOTMENTS MAY BE RETURNED BY SECONDARY CONSUMER DIRECTLY TO CLAIMANT AGENCY OR INDUSTRY DIVISION

The following amended direction is issued pursuant to CMP Regulation 1.

(a) Paragraph (w) of CMP Regulation No. 1 requires a consumer to return allotments which he does not need to the person from whom he received them. In the case of a prime consumer making an A or a B product, the return is made directly to the Claimant Agency or Industry Division which made the allotment except in those cases where the return is to be made to a Field Office of the War Production Board, as explained in paragraph (d) below. In the case of a secondary consumer, the return is made to the prime or secondary consumer who made the allotment.

(b) In those cases where it is impractical for a secondary consumer to return an allotment to the person from whom he received it, he may make the return directly to the Claimant Agency whose symbol appears on the allotment or to the War Production Board in the case of allotments bearing the symbols B, F, G, J, K, S and V. This situation may occur where a secondary consumer produces the same product for a relatively large number of customers whose schedules are all identified by the same abbreviated allotment number. For example, a manufacturer of metal stampings receives orders from many manufacturers accompanied by allotments all bearing the allotment number N-6. As a practical matter, he places all of the allotments in a single allotment account designated N-6. If his requirements for the manufacture of metal stampings are reduced, for any reason, it will be very difficult for him to figure out what portion of the total allotment should be returned to each customer and furthermore the amount returned to each will probably be small. Under this direction, he is permitted to make a return directly to the Navy.

Form CMP-32, "Consumers Return of Allotments", available at all War Production Board offices, should be used in making returns under this direction, but if it is impractical to get this form, the return may be made by letter.

(d) Returns of allotments under this direction bearing the symbols B, F, G, J, K, S and V should be mailed to the War Production Board, Washington 25, D. C. unless the allotment was originated by a Field Office of the War Production Board, in which case the return should be made to the originating Field Office. In case of doubt, returns of allotments bearing these symbols should be mailed to Washington. Returns of allotments under this direction bearing the sym-

bols listed below should be mailed to the addresses indicated:

| Symbol | Address |
|--------|----------------------------------------------------------------------------------------------------------------------------------|
| A-1 | Containers Division, Temporary B Building, Room 2300, Washington, D. C. |
| A-2 | Farm Machinery Division, Temporary E Building, Washington, D. C. |
| A-3 | Controlled Materials Officer, War Food Administration, Room 1419, South Agriculture Building, Washington, D. C. |
| C | The Administrator, Aircraft Scheduling Unit, Wright Field, Dayton, Ohio. Attention: Captain W. D. Seiby. |
| D | Material Control Officer, Canadian Division, Room B-129, Tempo 3 Building, Ottawa, Ontario, Canada. |
| E | Material Control Officer, Foreign Economic Administration, Room 1407 Tempo U, Washington, D. C. |
| H | Material Control Officer, National Housing Agency, 1600 I St. NW., Washington, D. C. |
| L | Control Material Officer, Foreign Economic Administration, Room 615, 515 22d St. NW., Washington, D. C. |
| M | Material Control Officer, % U. S. Maritime Commission, Room 4024 Commerce Building, Washington, D. C. |
| N | Material Control Officer, Office of Procurement & Material, Room 1211, Navy Department, Washington, D. C. |
| P | Material Control Officer, Petroleum Administration for War, Room 1444 South Interior Building, Washington, D. C. |
| R | Material Control Officer, Office of the Rubber Director, Room 6090 New Municipal Center Building, Washington, D. C. |
| T | Material Control Officer, Office of Defense Transportation, Room 2123 Interstate Commerce Commission Building, Washington, D. C. |
| U | Material Control Officer, Office of War Utilities, Room 2735 Tempo R Building, Washington, D. C. |
| V | Controlled Materials Officer, Office of Civilian Requirements, Room 2340, Social Security Building, Washington, D. C. |
| W or O | CMP Control Officer, Army Service Forces, 4-D-574 Pentagon Building, Washington, D. C. |

(e) Attention is called to paragraph (w) (2) of CMP Regulation No. 1 which provides that a periodic check-up must be made by consumers of their allotments to see whether they have more than they need.

Issued this 15th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2208; Filed, February 15, 1944;
11:23 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Direction 16]

BROOM WIRE

The following direction is issued pursuant to CMP Reg. 5:

Steel wire used in making brooms may be treated as an operating supply under CMP

PART 3125—PARA-PHENYL PHENOL RESINS

[General Preference Order M-254,
Revocation]

General Preference Order M-254 is revoked. This revocation does not affect any liabilities incurred under the order. Simultaneously, with the revocation of this order, the para-phenyl phenol resins

Regulation No. 5 regardless of whether or not under a particular manufacturer's accounting practice the wire is charged to operating expenses. Accordingly, manufacturers of brooms may obtain their wire in the manner provided in CMP Regulation No. 5 instead of applying for an allotment.

Issued this 15th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2209; Filed, February 15, 1944;
11:23 a. m.]

PART 3216—MATERIAL ENTERING INTO THE OPERATION OF TRANSPORTATION SYSTEMS

[Preference Rating Order P-142, as Amended Feb. 15, 1944]

Section 3216.1 *Preference Rating Order P-142* is hereby amended to read as follows:

§ 3216.1 Preference rating order P-142. This order explains how "operators" of transportation systems, as defined below, get materials to carry on their operations, and it must be used by them in place of CMP Regulation 5. With a few exceptions, this order gives preference ratings for up to 110% per quarter of each item or group of items specifically authorized for the operator for the first quarter of 1944. Controlled materials (except aluminum and rail and track accessories) are allotted on the same basis. This means that, in most cases, quarterly applications on Form WPB-2585 are no longer necessary, but material may be scheduled for delivery on the new basis only three quarters in advance. Use of the ratings and allotments is explained in the order.

Definitions

(a) **Definitions.** For the purpose of this order:

(1) "Transportation system" means a steam railroad, an electric railroad, a terminal railroad, a switching railroad, a private car line company, a rapid transit system, an electric street railway system, a trolley coach system, or a common carrier passenger motor bus system.

(2) "Operator" means any person to the extent that he is engaged in the business of transporting passengers or property over a transportation system. The term does not include any person who can obtain all of his controlled material requirements at retail, or from warehouses or distributors under the provisions of CMP Regulation 4, and who has not elected to operate under this Order P-142 pursuant to paragraph (k) (1); such person must continue to operate under the provisions of CMP Regulation 5 and all other applicable regulations.

(3) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(4) "Controlled material" means steel, copper and aluminum in the forms and shapes indicated in Schedule I of CMP Regulation 1.

(5) "Maintenance and repair" means the upkeep or restoration of any unit

of the operator's property or equipment by using the minimum amount of material necessary (i) to keep the unit usable for the purpose intended in its existing design, (ii) to restore parts of the unit to their original usefulness, or (iii) to renew parts to restore the unit to its usefulness for the purpose intended in its existing design. The term also includes "heavy repair of locomotives" and "heavy repair of railroad cars," as those terms are defined in paragraphs (a) (8) and (a) (9) below.

(6) "Operating supplies" means those materials and supplies which are essential to the operations of the operator's transportation system, the rendering of services, and the collection of revenues in connection therewith.

(7) "Construction" means the use of material to provide additional facilities or to rehabilitate existing facilities for a purpose not intended in the existing design.

(8) "Heavy repair of locomotives" includes only:

(i) Such repair to boiler, machinery and tender as is necessary to put the unit in thorough order and in condition to run out a new term of assigned mileage (sometimes known as class 1, 2 and 3 repair), and also such intermediate repair thereto as is necessary to enable the unit to run out its full mileage assignment (sometimes known as class 4 and 5 repair); or

(ii) Conversion, which means any change in the general machinery or wheel arrangement of the locomotive; or

(iii) Modernization, which means the addition of accessories and/or specialties to the locomotive.

(9) "Heavy repair of railroad cars" includes only:

(i) Program repair for any group of cars, or, if the operator does not program such repairs, repair of any car requiring 50 or more man hours per car for freight cars, or 100 or more man hours per car for passenger cars; or

(ii) Conversion, which means the modification of the structure of an existing car to such an extent as to change the type of the car.

Ratings and Allotment Symbol

(b) **Preference ratings for materials other than controlled materials.** Subject to the provisions of this order, preference ratings are hereby assigned to deliveries of material to be made to an operator after March 31, 1944, as follows:

(1) **Quotas.** Each operator may use the rating assigned for the purchase of each item or group of items under sections D and E of his authorization on Form WPB-2585 (original and supplements) for the first calendar quarter of 1944, to order for delivery to him during any calendar quarter not more than his quota for that item or group of items for uses permitted under paragraphs (f) and (g) of this order. This quota is in each case 110% of the amount authorized for him in column (k) of the above form, with the exception of the items listed in paragraph (b) (2) below, which are handled on a special basis. If this 110% quota is not enough in any quarter to provide for permitted uses under this

order, application for additional amounts may be made as explained in paragraph (k) (2). Also, if an operator has received authorization on Form WPB-2585 for the second calendar quarter of 1944 or later quarters for any item or group of items in excess of the above 110% quota, he may use this authorization for the particular quarter instead of his quota unless otherwise directed by the War Production Board.

(2) **Special items and track material.** The ratings assigned above in paragraph (b) (1) may not be used to order the following items:

Steam injectors.

Mechanical lubricators.

Roller bearings (driving box, tender truck, and engine truck).

Stokers.

Superheaters and headers.

Air brakes—AB.

Hand brakes—power.

Brake beams.

Car bolster springs.

Couplers and coupler bodies.

Track material of the following kinds:

Frogs.

Crossings.

Switches.

Switch stands.

Rail anchors.

Rail braces.

Guard rails.

Guard rail clamps.

Gauge rods.

Clip bolts.

Rail clips.

Nut locks.

The amounts of these items which an operator can get for permitted uses and the proper ratings will be authorized from time to time on Form WPB-2585. Application for such authorization should be made by the operator as explained under paragraph (k) (3) of this order.

(3) **Emergency repairs.** The War Production Board may also assign in writing preference ratings to deliveries of specific materials essential for emergency repairs, application for which should be made as explained in paragraph (k) (2) of this order.

(4) Use of the ratings for advance quarters is subject to paragraph (e).

(c) **Assignment of allotment symbol for controlled materials.** Each operator may use the CMP allotment symbol T-7 to order controlled material for delivery to him after March 31, 1944, for a use authorized by paragraph (f) or (g) of this order, in amounts per quarter as follows:

(1) Aluminum to the extent required for maintenance, repair and operating supplies, excluding heavy repairs of locomotives and cars as defined in paragraphs (a) (8) and (a) (9). Any amounts of aluminum required for such heavy repairs or any other purpose may be applied for as explained in paragraph (k) (4).

(2) Steel and copper (except rail and track accessories) up to 110% per quarter of the respective amounts authorized for the operator for each item or group of items under section C of Form WPB-2585 (original and supplements) for the first calendar quarter of 1944. If this 110% quota is not enough in any quarter to provide for permitted uses

under this order, application for additional amounts may be made as explained in paragraph (k) (2). Also, if an operator has received authorization on Form WPB-2585 for the second calendar quarter of 1944 or later quarters for any such item or group of items in excess of the above 110% quota, he may use this authorization for the particular quarter instead of his quota unless otherwise directed by the War Production Board.

(3) Rail and track accessories (Code No. 2026) in amounts authorized for each quarter by the War Production Board upon Form WPB-2585. Application should be made by the operator only as required under paragraph (k) (3). (Note that the items of track material listed in paragraph (b) (2) are no longer controlled materials).

Use of these authorizations for advance quarters is subject to paragraph (e).

(d) *How to use the ratings and allotment symbol*—(1) *Certification*. An operator may use the above ratings and allotment symbol T-7 to get materials under this order by placing on his purchase orders a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7:

Preference rating—(specify rating if necessary); CMP allotment symbol T-7; P-142, serial No. ____.

The undersigned operator certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order; to receive, for transportation MRO under P-142, the item(s) ordered; and to use any preference rating or allotment symbol which the undersigned has placed on this order.

However, the certifications provided in CMP Regulation 7 and Priorities Regulation 7 may be used instead of the above, if they include the following identification:

Preference rating—(specify rating if necessary); CMP allotment symbol T-7; P-142, serial No. ____.

(2) An order for controlled materials which bears the above certification and allotment symbol is an authorized controlled material order, except that, when placed with a producer, the order must conform to paragraph (s) (4) of CMP Regulation 1 relating to content of the order and time for placing it. On orders for controlled materials, no preference rating should be shown.

(3) The ratings applied by operators under paragraph (d) (1) may be extended in the manner provided in Priorities Regulation 3.

(4) The ratings assigned under this order may not be used to get items shown on List A or B of Priorities Regulation 3.

(e) *Advance authorizations*. Neither the preference ratings nor the allotment symbol assigned by this order may be used by an operator to place orders for delivery farther ahead than the three calendar quarters following the quarter during which the order is placed, unless otherwise indicated with respect to any

authorization issued on Form WPB-2585. For example, during the second quarter of 1944, orders may be placed for delivery during that quarter and in each of the last two quarters of 1944 and the first quarter of 1945 to the full extent authorized per quarter under the above paragraphs; during the third quarter of 1944, orders may be placed in corresponding amounts for delivery in the second quarter of 1945, and so on. Any special authorization, unless otherwise indicated, is valid only for the quarter for which issued.

Permitted Uses of Materials and Inventories

(f) *Maintenance, repair, etc.* No operator shall acquire any material under the provisions of this order, nor make withdrawals from inventory of any material acquired with priorities assistance of any kind, except for the following purposes:

(1) Maintenance, repair and operating supplies (including materials required for MRO by the operator for its own use in carrying out authorized construction projects and in manufacturing transportation equipment);

(2) Heavy repair of locomotives;

(3) Heavy repair of railroad cars;

(4) Minor items of productive capital equipment not exceeding \$500 per unit (excluding cost of labor);

(5) Replacement of rail with the weight of rail and type of fastenings conforming to the operator's standard practice;

(6) Construction to the extent permitted by paragraph (g) below; or

(7) For any other use when specifically authorized in writing by the War Production Board.

(g) *Construction*. Any operator may, for construction, acquire materials under this order, or make withdrawals from inventory of materials acquired with priorities assistance, but only to the extent that the total cost of such materials for any one project is \$2,500 or less (excluding cost of labor). Additional materials of these kinds may be withdrawn from inventory for any one project if the operator has secured specific authorization in writing from the War Production Board pursuant to application made on Form WPB-617 (PD-200), but replacement in inventory of any additional materials so withdrawn may be made only by using the ratings and allotments assigned by the specific authorization (CMPL-224 or other applicable form). Furthermore, with respect to any project specifically authorized by the War Production Board (under Order L-41 or otherwise), acquisition or withdrawal from inventory of materials by the operator is limited to those which may be permitted by the authorization.

Each operator must get permission to construct under Conservation Order L-41 where the particular project is not exempted by that order. If the construction is of a kind exempted by that order, and the total cost of the materials required (excluding cost of labor) is over \$2,500, the operator must apply on Form WPB-617 if the excess over \$2,500 is to

be withdrawn from inventory as explained above, or is to be acquired with priorities assistance.

Inventory Control; Resales

(h) *Inventory control*. Notwithstanding the provisions of any other order or regulation of the War Production Board (including CMP Regulation 2), an operator's inventory of material for uses permitted under this order shall be subject to the following restriction only:

No operator shall receive any delivery of material which will increase his inventory of such material to an amount greater than the minimum necessary to sustain his current level of operations.

However, this does not prevent the operator from maintaining minimum stocks of material for emergency use, nor from acquiring reasonable stocks of ties and lumber for seasoning. The foregoing inventory control also does not apply to printed matter.

(i) *Permitted resale of materials*. An operator may resell material (whether or not obtained with the assistance of this order):

(1) To any other operator;

(2) To another person when such material is to be physically incorporated in repairs of equipment that is used in the maintenance, repair, or operations of the operator's own property: *Provided*, That such material could have been used by the operator itself in making its own repairs without violation of any of the provisions of this order;

(3) To the operator's own transportation system subsidiaries, or for the maintenance of track or equipment not owned but customarily maintained by the operator or its subsidiaries; or

(4) For the repair of equipment of another carrier in accordance with the Code of Rules for the Interchange of Traffic as adopted by the Association of American Railroads.

Any such sale shall be expressly permitted within the provisions of paragraph (c) (3) of Priorities Regulation 13: *Provided*, That nothing in this paragraph (i) shall be deemed to authorize receipt or use of any material by any person in violation of any inventory or use restriction imposed by this order or any other order or regulation of the War Production Board, and no operator shall make any sale of material authorized above if he knows or has reason to believe that receipt or use thereof by the buyer will be in violation of any such restriction.

(j) *Other resales*. Any other resale of materials by an operator is subject to Priorities Regulation 13.

Procedure

(k) *How to make application under this order*—(1) *Serial numbers*. No operator shall be entitled to any assistance under the provisions of this order until he has been assigned an authorized serial number, which may be obtained upon application by letter to the War Production Board, stating that the applicant will be unable to obtain all of his controlled material requirements at retail or under the provisions of CMP Regulation 4. In addi-

tion, any person who can obtain all such requirements at retail or under that regulation may elect to apply as above for an authorized serial number. When such serial number is assigned to him, he shall be deemed an "operator" under all the provisions of this Order P-142.

(2) *Application for special or additional authorizations.* In order to get authorization or exemption under paragraph (b) (1), (b) (3), (c) (2) or (f) (7) of this order, an operator must communicate with the War Production Board, describing the nature of the emergency or the reason why specific authorization is necessary, and the amount and type of material involved. The War Production Board will thereupon notify the operator in writing whether, and to what extent, his application is approved.

Requests for additional authorizations for any quarter under paragraph (b) (1) or (c) (2) must be made by letter, giving the above information. In acting upon such a request, the War Production Board may at the same time authorize all or part of the additional amount for future quarters. For example, if it was shown that the operator's authorizations on Form WPB-2585 for the first quarter of 1944 were not a reasonable indication of his quarterly needs of any item or group of items, his "base" (against which to apply the 110% quota) might be increased. The War Production Board may also direct in writing that the "base" be reduced.

(3) *Application for special items and track material.* Application for track material under paragraph (b) (3) and for rail and track accessories under paragraph (c) (3) should be made by an operator only if called for by specific instructions of the War Production Board. Application for special items (other than track material) listed in paragraph (b) (3) should be made on Form WPB-2585 at least 45 days before the beginning of each calendar quarter, in accordance with the instructions on the form and any supplemental instructions that may be issued.

(4) *Aluminum.* Any operator requiring aluminum in the form of controlled material for heavy repairs, as defined in paragraphs (a) (8) and (a) (9), must apply by letter for an allotment for the required amounts to the War Production Board, Aluminum and Magnesium Division, Ref.: M-1-i, giving substantially the information described in paragraph (d) of Supplementary Order M-1-i.

NOTE: The reporting requirements in this paragraph (k) have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(l) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(m) *Violations.* Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be pro-

hibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(n) *Applicability of regulations.* (1) This order and all transactions affected by it are subject to all applicable regulations of the War Production Board, as amended from time to time, unless this order states otherwise.

(2) None of the provisions of CMP Regulations 5 or 5A shall apply to operators as defined in paragraph (a) (2) of this order, and no operator shall obtain any material under the provisions of either of those regulations. However, privileges under other orders and regulations of the War Production Board granted to persons on Schedule I or II of CMP Regulation 5 shall be considered as applicable to operators under this order. For example, Order E-5-a on gauges and precision measuring hand tools classifies a person on Schedules I and II of CMP Regulation 5 as an "approved user". Operators under this order P-142 are in the same position providing that certification clauses and all other provisions of those other orders are complied with.

(o) *Communications.* All communications concerning this order, unless otherwise directed, shall be addressed to: War Production Board, Transportation Equipment Division, Washington 25, D. C., Ref.: PF-142.

Issued this 15th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1—RERATING DELIVERY ORDERS
PLACED UNDER P-88

Order P-88 (predecessor of P-142) assigned "blanket" ratings to railroads for certain specified deliveries of MRO materials; it also provided for the specific assignment of ratings to other deliveries of materials pursuant to application made on Form PD-351. These ratings ranged from A-1-a to A-8. Order P-142 (§ 3216.1) assigns no "blanket" ratings in the order itself, all necessary ratings for transportation MRO being assigned on Form WPB-2585 (formerly PD-844). When P-142 was issued on April 5, 1943, it contained a provision specifically revoking Order P-88 and all ratings issued thereunder, with the exception of ratings issued on Form PD-351 for the second quarter of 1943. Under these circumstances, it is questioned whether an operator who, under P-88, properly placed a delivery order which was never filled, may rerate it on the basis of authorization granted on Form WPB-2585 pursuant to P-142.

The revocation of P-88 did not affect deliveries which had been rated under that order before April 5, 1943. Moreover, an operator who properly placed a rated order for MRO materials under P-88, but did not receive delivery at the time requested, may rerate the original delivery order to the extent that deliveries of such materials have been authorized on Form WPB-2585.

For example, a railroad placed a purchase order for a fabricated product on October 4, 1942, applying the rating of A-1-j in accordance with paragraph (b) (3) of Order P-88, and specifying the delivery date of December 15, 1942. The supplier was unable to make delivery at the time requested. Under P-142, the railroad received authorization for the fourth quarter of 1943 on Form WPB-2585 to apply a rating of AA-1 to the delivery of certain materials, including fabricated

products of the kind specified in the original purchase order. Whether the authorization is in terms of units (under section D of the Form), or in terms of dollar value applicable to a group of products (under section E), Priorities Regulation 12 permits the railroad to rerate the original order if it is still unfilled. However, the items or dollar value involved must be charged against the WPB-2585 authorization for the quarter in which the rerating is made. (Issued Nov. 24, 1943.)

[F. R. Doc. 44-2211; Filed, February 15, 1944;
11:23 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Conservation Order M-319, Interpretation 2]

USE OF SMALL ORDER CERTIFICATION BY PRODUCERS WHO ARE ALSO DISTRIBUTORS

The following interpretation is issued with respect to Conservation Order M-319:

A question has arisen as to whether a person who produces certain sizes and types of abrasive grain, but who also purchases abrasive grain from other producers for resale without further processing, may use the small order certification described in paragraph (d) (2) of Conservation Order M-319 to obtain abrasive grain for stock to fill small orders. Paragraph (a) (10) defines a distributor as any purchaser of manufactured crude abrasive or abrasive grain for purposes of resale without further processing. To the extent that a producer obtains abrasive grain from other producers for resale without further processing, he is a distributor within the meaning of M-319 and, as such, may accept delivery of abrasive grain for stock to fill small orders, if he signs the certification required by paragraph (d) (2). The grain which he obtains by this means, however, can only be used to fill small orders placed with him, and is subject to the sixty day inventory limitation contained in paragraph (f). This grain, when obtained, should not be reported as a part of his inventory in making out his proposed production schedule (Form WPB-2780), nor should he include it in the WPB-2781 application which he files as a producer, pursuant to paragraph (d) (3), for authorization to deliver his own grain to fill small orders.

Issued this 15th day of February 1944.
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2207; Filed, February 15, 1944;
11:24 a. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M-241-a; Interpretation 1]

WAXED PAPER CONVERSION

The following interpretation is issued with respect to General Conservation Order M-241-a.

"Waxed and oiled paper, all types and grades other than household packages, excluding waxed paper wrappings for direct war use as provided in List A," as that caption appears in List B of General Conservation Order M-241-a, applies to all the kinds of paper so described regardless of whether produced as a result of a separate converting operation, as is commonly the case, or produced as a result of having been oiled or waxed on the paper machine. For the pur-

pose of this order control has been placed on the end product. The method employed in consuming paper in the manufacture of the end product is not a factor of consideration in determining the applicability of the order.

Issued this 15th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2213; Filed, February 15, 1944;
11:23 a. m.]

PART 3281—PULP AND PAPER

[General Conservation Order M-241-a,
Interpretation 2]

RETAIL UNITS

The following interpretation is issued with respect to General Conservation Order M-241-a.

This interpretation of General Conservation Order M-241-a applies to the consumption of paper in the manufacture of retail units of wrapping and other papers as dispensed through the variety chain stores, the department stores, the stationery stores and all other retail outlets. These retail units are regarded as within the definition of a "converted product" in Order M-241-a and therefore subject to the restrictions contained in paragraphs (d) or (e) of the order.

All grades and kinds of paper, plain or printed, when converted into retail units for wrapping purposes are subject to the order, although the percentage restriction on consumption need not be separately applied to each of the grades and kinds of paper consumed during the base period. It is permitted to calculate an aggregate quota and to consume any grade or kind of paper, plain or printed, within the quota without regard to the maintenance of the same relationship of grade and kind that prevailed during the base period.

Any person who did not consume paper during the base period of the order in the conversion of such retail units of wrapping and other papers has no basis from which to calculate a quota and, therefore, cannot become a converter.

There is a distinction in the instance of printed wrapping paper as follows:

1. When printed wrapping paper is delivered by the printer in bulk form (not packaged) for further sale or further distribution the printer is the "converter" as defined in the order, and, therefore, subject to the restrictions of paragraph (e); but,

2. If the printer delivers the printed wrapping paper to a person for subsequent conversion into retail units, the final converter is the one subject to the restrictions of paragraph (e) and not the printer.

Since retail units are regarded as a separate and distinct type of "converted product," it is obvious that tonnage from other products cannot be included when calculating a quota for retail units.

Plain wrapping tissue purchased in quires, or flat, when subsequently folded and labeled, or otherwise packaged, is deemed to be a retail unit and therefore restricted by paragraph (e).

Quota tonnage which has not been consumed at the end of a calendar quarter may not be carried over to the succeeding calendar quarter.

Issued this 15th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2204; Filed, February 15, 1944;
11:24 a. m.]

PART 3293—CHEMICALS¹

[General Preference Order M-246, as Amended
Feb. 15, 1944]

PHENOLIC RESINS AND PHENOLIC RESIN
MOLDING COMPOUNDS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of phenolic resins and phenolic resin molding compounds for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.341¹ General Preference Order M-246—(a) Definitions. For the purposes of this Order:

(1) "Phenolic reactant" means:

(i) Any of the synthetic phenols except resorcinol, of all grades and from whatever source derived.

(ii) Phenolic acids, either in pure or crude form, comprised in whole or in part of one or more of the following: phenol, ortho cresol, meta cresol, para cresol, xylenols and commercial grades of higher boiling cresylic acids, from whatever source derived.

(iii) Any of the substituted phenols, including para phenyl phenol, para tertiary butyl phenol, para tertiary amyl phenol and bis-phenol.

(2) "Aldehyde" means any organic compound containing the monovalent —CHO radical.

(3) "Phenolic resin" means any synthetic reaction product of a phenolic reactant with an aldehyde or a derivative of an aldehyde such as, for example, formaldehyde, furfural, para formaldehyde or hexamethylenetetramine. Such term includes, but is not limited to phenolic resins, modified or otherwise in liquid, lump, spray dried, cast or pulverized form and in solutions commonly termed laminating varnishes and resin solutions as well as resin dispersions, emulsions and cement. The term does not include any reaction product of resorcinol, lignin, cashew nut shell liquid or cardinol unless enriched with another phenolic reactant.

(4) "Phenolic resin molding compound" means any combination of phenolic resin and bulk filler such as, for example, wood flour, asbestos, mica, cotton fibres, or macerated fabrics, which can be molded. Such term includes, but is not limited to, molding compound, molding board and molding blanks.

(5) "Producer" means any person engaged in the production of any phenolic resin or phenolic resin molding compound, and includes any person who has any such material produced for him pursuant to toll agreement.

(6) "Toll agreement" means any agreement by which title to material remains vested in a person other than the one processing the material.

(7) "Distributor" means any person who purchases phenolic resin or phenolic resin molding compound for resale as phenolic resin or phenolic resin molding compound.

(8) "Supplier" means a producer or distributor.

(9) "Products made from or treated with phenolic resin or phenolic resin molding compound" mean the following products when made from or treated with phenolic resin or phenolic resin molding compound:

(i) Molded products;

(ii) Protective coatings (other than resins used by protective coatings manufacturers in the formulation of protective coatings);

(iii) Plywood (including shaped plywood and shaped* impregnated wood);

(iv) Laminates (sheets, rods, tubes and molded shapes); and

(v) Specialties which shall include all other products, such as abrasive wheels, friction elements and resin bonded insulating battings.

(10) "Product manufacturer" means any person who manufactures any product defined above in paragraph (a) (9).

(b) Restrictions applicable to suppliers only. (1) No supplier shall deliver any phenolic resin or phenolic resin molding compound to any other person (except pursuant to a toll agreement) without (i) the specific authorization in writing of the War Production Board to make the particular delivery or (ii) general authorization to deliver specific amounts against orders marked "Small Orders" or "Previously Authorized" orders as provided in paragraph (b) (2) hereof. The term "other person" when used in the previous sentence, includes a branch, division or section of the same enterprise as that of the supplier unless the branch, division or section accepting delivery accepts it for the purpose of producing phenolic resin or phenolic resin molding compound, or unless the branch, division or section accepting delivery normally keeps the same inventory as the branch, division, or section making the delivery. Application by a supplier for authorizations to deliver shall be made pursuant to Appendix A.

(2) Each supplier shall be entitled to deliver against general authorizations amounts of phenolic resin or phenolic resin molding compound not exceeding in the aggregate the amount authorized for such purposes in writing by the War Production Board, as follows:

(i) Against purchase orders marked "Small Order", deliveries aggregating not more than five pounds of resin containing any para phenyl phenol or resin in which para tertiary butyl phenol is the sole phenolic reactant in any one calendar month to any one customer²; and against purchase orders marked "Small Order", deliveries aggregating not more than 50 pounds in the case of all other phenolic resins or phenolic resin molding compounds to any one customer² in any one calendar month.

(ii) Against orders marked "Previously Authorized" an amount not exceeding 2,000 pounds in any one month to any one customer.² This provision shall, however,

¹ In accordance with Interpretation 8 of Priorities Regulation No. 1, the provisions of paragraph (b) (2) (i), (b) (2) (ii), (c) (2) (i), and (c) (2) (ii), shall be available to each operating unit of the same company which does its own buying of phenolic resin or phenolic resin molding compound.

² Formerly Part 3104, § 3104.1.

not be applicable to cast phenolic resins or to phenolic resins containing tung oil or para phenyl phenol, or to resins in which para tertiary butyl phenol is the sole phenolic reactant.

(3) Each supplier shall comply with such directions as may be given from time to time by the War Production Board with respect to the production, use, or delivery of any phenolic resin or any phenolic resin molding compound. If the War Production Board stamps or writes the word "Defer" in Column 7 of a supplier's Form WPB-2946 (formerly Form PD-601), the supplier shall not produce, use, or deliver any phenolic resin or any phenolic resin molding compound to fill the orders described on the lines so marked if its production, use, or delivery interferes in any way with the production, use or deliveries necessary to fill on time all other orders which the supplier is entitled to fill.

(c) *Restrictions on accepting deliveries from suppliers and restrictions on use.* (1) (i) No person (except a person acting pursuant to a toll agreement) shall accept delivery of phenolic resin or phenolic resin molding compound from a supplier without the specific authorization in writing of the War Production Board, or except as provided in paragraph (c) (2) below. The term "no person" when used in the previous sentence, includes a branch, division, or section of the same enterprise as that of the supplier, unless the branch, division, or section accepting delivery accepts it for the purpose of producing phenolic resin or phenolic resin molding compound, or unless the branch, division or section accepting delivery normally keeps the same inventory as the branch, division, or section making the delivery.

(ii) No person shall use phenolic resin or phenolic resin molding compound to manufacture products made from or treated with phenolic resin or phenolic resin molding compound (except pursuant to a toll agreement), without the specific authorization in writing of the War Production Board or except as provided in paragraph (c) (2) below.

(iii) No person shall cause another person to use phenolic resin or phenolic resin molding compound pursuant to a toll agreement to manufacture products made from or treated with phenolic resin or phenolic resin molding compound, unless he has himself been specifically authorized in writing by the War Production Board to make the particular product or except as provided in paragraph (c) (2) below.

(iv) Applications for specific authorization to accept delivery of phenolic resin or phenolic resin molding compound from a supplier should be made pursuant to Appendix B, as should all applications for specific authorization to use phenolic resin or phenolic resin molding compound to manufacture products made from or treated with phenolic resin or phenolic resin molding compound.

(2) In addition to being able to accept delivery from a supplier and use phenolic resin or phenolic resin molding

compound pursuant to the specific authorization of the War Production Board.

(i) During any calendar month, a product manufacturer¹ may accept from all suppliers deliveries aggregating not more than 2,000 pounds of phenolic resin or phenolic resin molding compound for use in previously authorized end uses, and a product manufacturer may use in any calendar month, and cause others to use pursuant to a toll agreement, not in excess of 2,000 pounds of phenolic resin or phenolic resin molding compound for previously authorized end uses. A product manufacturer placing a purchase order under the provisions of the last sentence should mark his order "Previously Authorized." A "previously authorized use" of a particular manufacturer is an end use described by him on his Form PD-600 or Form WPB-2945 filed under Order M-246 for phenolic resin or phenolic resin molding compound, which end use has been approved in writing by the War Production Board for the particular manufacturer at any time after September 30, 1943. This 2,000 pound provision does not apply to cast phenolic resins or phenolic resins containing tung oil or para phenyl, phenol, or to resins in which para tertiary butyl phenol is the sole phenolic reactant.

(ii) During any calendar month, a product manufacturer¹ may accept from all suppliers, deliveries aggregating not more than 5 pounds of resin containing any para phenyl phenol or resin in which para tertiary butyl phenol is the sole phenolic reactant, and a product manufacturer may use in any calendar month, and cause others to use pursuant to a toll agreement, not in excess of 5 pounds of such resin. In addition, during any calendar month, a product manufacturer¹ may accept deliveries aggregating not more than 50 pounds in the case of all other phenolic resins or phenolic resin molding compounds, and may use in any calendar month, and cause others to use pursuant to a toll agreement, not in excess of 50 pounds of each other material. A product manufacturer placing a purchase order under the provisions of either of the last two sentences should mark his order "Small Order".

(3) No product manufacturer who has received a specific authorization from the War Production Board covering a quarterly period which authorization permits him to acquire during any one calendar quarter 20,000 pounds or more in the aggregate of phenolic resin or phenolic resin molding compound, shall place orders specifying the delivery of more than 40% of the total amount authorized by that authorization in any one month.

(4) If the War Production Board stamps or writes the word "Defer" in Column 10 of a product manufacturer's Form WPB-2945 (formerly Form PD-600), the product manufacturer shall not produce or deliver to his customer the products made from or treated with phenolic resin or phenolic resin molding compound described on the lines so marked, if their production or delivery interferes in any way with the production or delivery on time of other products which the product manufacturer is entitled to make.

(5) Each product manufacturer receiving phenolic resin or phenolic resin molding compound pursuant to an authorization of the War Production Board, must use it solely for the purposes specified in writing in the authorization. However, despite the provisions of Form WPB-2945 and Form PD-600, a product manufacturer may include in the 2000 pounds of phenolic resin or phenolic resin molding compound which he may use in any calendar month for previously authorized end uses (as that term is defined in paragraph (c) (2) (i), material which he was specifically authorized by the War Production Board to accept for a different purpose.

(d) *Sales by a product manufacturer of frozen or excessive inventories.* No product manufacturer shall sell any frozen or excessive stocks of phenolic resin or phenolic resin molding compound except in compliance with Priorities Regulation No. 13. In general that regulation prohibits him from selling, without the specific authorization in writing of the War Production Board, to any person other than a supplier.

(e) *Disposition by product manufacturers of primary products which may not be delivered or used for allocated end uses.* If a product manufacturer has on hand any product made from or treated with phenolic resin or phenolic resin molding compound which he cannot dispose of for the specific end use for which the phenolic resin or phenolic resin molding compound was allocated, he shall not deliver or use the product without first receiving the specific written authorization of the War Production Board to do so. This paragraph (e) applies to, but is not limited to, products which do not meet specifications, or products for which military contracts have been cancelled.

Application for specific authorization to dispose of the products should be made by letter in triplicate directed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-246, setting forth the material facts.

(f) *Restrictions on persons acquiring products made from or treated with phenolic resin or phenolic resin molding compound.* (1) Each person placing or seeking to place a purchase order with a product manufacturer for products made from or treated with phenolic resin or phenolic resin molding compound shall furnish with his order a certificate specifying the end use of the product ordered. Such certificate may be placed on or attached to the purchase order and shall be in substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

DESCRIPTION OF END USE

Pursuant to Allocation Order M-246, the undersigned hereby certifies to the seller and to the War Production Board that the product covered by the accompanying purchase order will be used solely for the purposes listed above.

(Purchaser)

By

(Address)

(Date)

(Signature and title of
duly authorized officer)

(2) Notwithstanding the provisions of paragraph (f) (1) above, no purchaser of such products shall be required to file a certified description of end use for the purpose of this order, if the end use is apparent to the product manufacturer from his own observation and experience (for example, in the case of the sale of a molded distributor head). However, where the purchase is by or for the account of one of the Armed Services, the product manufacturer must receive and retain in his files written evidence of that fact even if the end use is apparent.

(3) In the event that two or more end uses are involved in a single purchase order for products, the amount of the product required for each different use shall be listed as a separate item in the certificate. Each item shall bear an identifying number so that it will be possible for the product manufacturer to advise his customers, by purchase order number and item number, as to the action taken by the War Production Board on his application for the phenolic resin or phenolic resin molding compound needed to make the product ordered by the customer.

(4) Each product manufacturer is requested to notify each customer as soon as possible of a denial, in whole or in part, by the War Production Board of any item or items for which application has been made by such customer.

(5) Any product manufacturer may accept and rely upon any certified description of end use furnished pursuant to this paragraph (f) unless he knows or has reason to believe it to be false.

(6) Each person furnishing a certified description of end use with a purchase order pursuant to paragraphs (f) (1) and (f) (3), shall use the products delivered on such purchase order only for the purpose specified in such certificate, except as otherwise specifically authorized in writing by the War Production Board. Application for such authorization may be made by letter in triplicate directed to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-246, setting forth the material facts.

(f) *Reports.* The reporting provisions of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Each supplier and each product manufacturer shall file such other reports as may be required from time to time by the War Production Board, subject to the approval of the Bureau of the Budget.

(g) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further

deliveries of or from processing or using material under priorities control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-246.

Issued this 15th day of February 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—INSTRUCTIONS FOR SUPPLIERS'
APPLICATIONS FOR AUTHORIZATION TO DELIVER

Each supplier seeking authorization to deliver phenolic resins or phenolic resin molding compound shall file application on Form WPB-2496 (formerly Form PD-601) in the manner prescribed therein, subject to the following instructions:

Form WPB-2946 (formerly Form PD-601). Copies may be obtained at local field offices of the War Production Board.

Time of filing. Applications shall be filed in time to ensure that copies will have reached the War Production Board on or before the 23d day of the month preceding the month for which allocation is requested.

Number of copies. The signed original application and one copy shall be sent to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-246.

Number of sets. A separate set of forms shall be submitted for each of the six classes of products described in Appendix B, under the heading "Number of Sets"—namely, molded products, protective coatings A, protective coatings B, plywood, laminates, and specialties. In case of doubt as to how to classify a particular end use, be guided by the Forms PD-601 and WPB-2946 previously returned to you by the War Production Board. Even where deliveries are to be made from more than one producing plant, only one set of forms shall be submitted for each class of use.

Monthly or quarterly forms. A supplier shall always file monthly on Form WPB-2946.

Heading. Under "Name of Chemical" specify "Phenolic resin" or "Phenolic resin molding compound"; under "WPB Order No.", specify "M-246"; under "This schedule is for deliveries to be made during the month of", specify "Delivery month"; under "Unit of measure", specify "Pounds (net)"; and otherwise fill in as indicated.

Table I. The application need only cover the request for a general authorization to deliver pursuant to orders marked "Small Order" or "Previously Authorized". The supplier will list in Column 1 "Total small order deliveries" and "Total previously authorized deliveries", and in each case will enter in Column 4, as one lump sum, the total quantity proposed to be delivered during the month covered by the application. The War Production Board will issue to suppliers their specific authorizations to deliver against other types of orders on the basis of information furnished by the customers of the suppliers to the War Production Board.

Rolling stock. Leave blank columns at end of Table I relating to rolling stock requirements.

Table II. Fill out Table II on each set of Form WPB-2946 filed by you. The instructions as to filling out this table contained in the letter of the Director General for Operations of the War Production Board dated November 10, 1942, are hereby revoked.

In lieu of a listing of each separate grade in Column 8, one listing should ordinarily be made to cover all grades. There are two

exceptions to this. List separately any grade or sub-class where manufacturing capacity or some other specific limitation exists which prevents the supplier from fulfilling all demands placed upon him. Also list separately by grade number each grade of protective coating resin containing any para-phenyl phenol and of any other protective coating resin in which para-tertiary butyl phenol is the sole phenolic reactant. Fill out all columns.

On the last two lines of Table II, write in the following captions: "Total small orders delivered last month" and "Total previously authorized orders delivered last month", and fill in the respective figures.

APPENDIX B—INSTRUCTIONS FOR APPLICATIONS FOR AUTHORIZATION TO ACCEPT DELIVERY AND APPLICATIONS FOR AUTHORIZATION TO USE

General. Each person seeking specific authorization to use or accept delivery of phenolic resin or phenolic resin molding compound shall file application on Form WPB-2945 (formerly Form PD-600) in the manner described therein, subject to the following instructions:

Form WPB-2945 (formerly PD-600). Copies may be obtained at local field offices of the War Production Board.

Time of filing. Applications shall be made in time to ensure that copies will have reached the supplier and the War Production Board on or before the 18th day of the month preceding the period for which authorization for use or acceptance of delivery is sought.

Number of copies. One copy of Form WPB-2945 shall be sent to the supplier and on this copy, Tables II, III and IV may be left blank. The original and three copies shall be sent to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-246. The original shall be completely filled out, but on the copies, Tables II, III, and IV may be left blank. Attention of applicants is called to the fact that a copy of each application may be sent to the supplier named on it. The original must be signed.

Number of sets. If the applicant has more than one operating unit which does its own buying of phenolic resin or phenolic resin molding compound, each such unit shall be treated as a separate company for the purposes of determining how many sets of Form WPB-2945 shall be filed. An applicant who wishes phenolic resin or phenolic resin molding compound for the manufacture of two or more of the six classes of products specified below shall file a separate set of WPB-2945 forms for each. A separate set of Forms WPB-2945 shall also be filed if the applicant is seeking permission to use material for an end use other than that for which it was originally acquired or for permission to use material obtained for inventory subject to further authorization. All applicants, whether or not manufacturing more than one class of product, shall indicate the product covered by the application on the right side of the upper margin (using only the appropriate italicized word or words):

Molded products

Protective coatings A (coatings to contain any resin made with any para-phenyl phenol or to contain any other resin in which para-tertiary butyl phenol is the sole phenolic reactant).

Protective coatings B (coatings other than the above).

Plywood—laminates

Specialties (which include all other products).

Monthly or quarterly forms. Applications shall be monthly or quarterly as follows, unless the product manufacturer has been authorized by the War Production Board to do otherwise:

Monthly

Manufacturers of molded products.
Manufacturers of protective coatings A and B.

Quarterly

Manufacturers of plywood (including shaped plywood and shaped impregnated wood).

Manufacturers of laminates.

Manufacturers of all other products (specialties).

Heading. Under "Name of chemical" specify "Phenolic resin" and/or "Phenolic resin molding compound"; under "WPB Order No.", specify "M-246"; under "Unit of measure", specify "Pounds, net"; and otherwise fill in as indicated. If the application is for permission to use material for an end use other than the one for which it was obtained, or for permission to use material obtained for inventory subject to further authorization, insert the words "From inventory" under the heading "Your supplier's name".

Table I. Specify in the heading the calendar month or quarter for which authorization for use or acceptance of delivery is sought.

Column 1. Specify supplier's grade number or other identifying symbol or words.

Column 2. Specify separately the quantities (in pounds, net) required for each primary product and each end use specified in Columns 3 and 4.

Column 3. In the case of a manufacturer of molded products, describe the product to be produced and identify by giving its function. For example, specify "aircraft radio condenser" not merely "aircraft", "radio" or "condenser".

In the case of a manufacturer of protective coatings, indicate the primary product by its code number used in WPB-I-217 (primary Products and End Use List) prepared by the Protective Coating Section, Chemicals Bureau, War Production Board.

In the case of a manufacturer of plywood (including shaped plywood and shaped impregnated wood) specify "Plywood".

In the case of a manufacturer of laminates, specify "sheets, rods, tubes, and molded shapes".

In the case of a specialty manufacturer, describe the product to be produced and identify by giving its function. For example, specify "brake-lining" not "friction material".

All manufacturers may insert the word "inventory" when they wish to acquire material to be kept in inventory in the original form. Distributors should insert the word "resale".

Column 4. Opposite each primary product listed in Column 3, specify in Column 4, end use as stated in certified description of use, or, in the absence of such certificates, on the basis of the applicant's own observation and experience. Indicate that governing contract is by or for the account of the Armed Services if you have written evidence of that being the case.

Manufacturers of protective coatings shall use the End Use List (WPB-I-217) to give information as to the specific end use to which the coating is to be put by the ultimate user.

Opposite "resale" or "inventory" in Column 3, write in Column 4 "subject to further authorization".

Columns 9 and 10. Leave blank.

Table II. Make one listing in Column 11 covering the total of material acquired from all suppliers of "All grades" subject to this order which fall into this particular broad class (molding, specialty, etc.) under which application is being made. Then specify separately in Column 17, each grade listed in Column 1 of the application. In all cases, leave Columns (15a), (15b), and (15c) blank.

Where applications are being made on a quarterly basis, list figures for the quarters indicated below. In Columns 13, 14, and 15,

strike out the words "Last month" and indicate the quarters (which are not calendar quarters) in these columns as follows:

| Quarter Number: | Period covered |
|-----------------|--------------------------------|
| DJF | Dec. 1 to Feb. 28, inclusive. |
| MAM | Mar. 1 to May 31 inclusive. |
| JJA | June 1 to Aug. 31, inclusive. |
| SON | Sept. 1 to Nov. 30, inclusive. |

Even when application is on a quarterly basis, fill in Column 16 as indicated on the form.

Table III. Fill in Column 17 and 18 as indicated, and leave Column 19 blank.

Table IV. Leave blank.

II. Special instructions for laminators. Laminators may use this variation of the General procedure given above as desired. When it is not practicable for a laminator to give product end use in Column 4 of his Form WPB-2945, he should write "subject to further authorization" in this column.

The laminator shall then apply on a Form WPB-2947 (formerly Form PD-602) for authorization to deliver the sheets, rods, tubes, and molded shapes for specific end uses, and may not make delivery unless authorized in writing to do so by the War Production Board.

[F. R. Doc. 44-2205; Filed, February 15, 1944; 11:24 a. m.]

Subchapter D—Office of the Rubber Director

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix III as Amended Feb. 15, 1944]

Introductory. Appendix III to Rubber Order R-1 as amended is a compilation of supplementary orders and directives of general applicability which affect rubber and rubber products. In the past, these orders and directives have involved principally the conversion of products from crude rubber to synthetics and have been issued individually to the manufacturers of the particular products. The purpose of Appendix III is to issue these directives and miscellaneous supplementary orders in printed form.

The material in Appendix III is arranged in accordance with the following product classifications:

Mechanical goods: Wire and cable; Tires and tubes; Footwear; Heels and soles; Printing and combining of fabrics; Medical, surgical, dental, drug sundries; and Miscellaneous.

Each of these product classifications has been assigned a section number commencing with § 4600.51. Supplementary orders and directives in each group are designated by letter.

§ 4600.50 Applicability of Rubber Order R-1. Supplementary orders and directives which appear in Appendix III shall govern in case of inconsistency with other provisions of Rubber Order R-1. These orders and directives may be incorporated in the Rubber Order from time to time, at the discretion of the War Production Board.

§ 4600.51 Mechanical goods. The following supplementary orders and directives are applicable to mechanical goods:

(a) *Vibration mount and shock absorber.* No crude rubber or natural latex may be consumed in the manufacture of compression type mountings or insulations of Shore Durometer hardness of 40 and above. Crude rubber may, however, be used for bonding cements and for use in tie-gum compounds which shall not exceed $\frac{1}{32}$ " in thickness.

No crude rubber or natural latex may be consumed after March 1, 1944, in the manufacture of compression types of mountings or insulators having a Shore Durometer hardness of less than 40. Crude rubber may, however, be used for bonding cements and for use in tie-gum compounds which shall not exceed $\frac{1}{32}$ " in thickness.

No crude rubber or natural latex may be consumed after March 1, 1944, in the manufacture of plate, sandwich, tubular, or other types of shear mountings or insulations. This restriction covers mountings or insulations where the temperatures of applications are minus 40° F. and above. Aircraft engine and instrument mounts may be considered as falling in the applications functioning below minus 40° F. Crude rubber may be used for bonding cements and tie-gum compounds which shall not exceed $\frac{1}{32}$ " in thickness.

Torsional vibration dampers may be manufactured from crude rubber until further notice.

(b) [Deleted Jan. 12, 1944]

(c) *Pipe rings.* After February 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of pipe rings.

(d) *Milking machine inflations.* After April 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of milking machine inflations. During the month of March, 1944, no person shall manufacture milking machine inflations using crude rubber or natural latex in more than 50% of his production during the month.

(e) [Deleted Jan. 12, 1944]

(f) *Street car sandwich wheels.* After February 1, 1944, no crude rubber may be consumed in the manufacture of street car sandwich wheels, except that crude rubber may be used for bonding cements and tie-gum not to exceed $\frac{1}{32}$ " in thickness.

(g) *Hard rubber products.* Rubber Order R-1 as amended permits crude rubber to be consumed in the manufacture of the following blown hard rubber products: Bottles, fittings, pistons, valves, and valve parts for use with corrosive chemicals and explosives. It also permits crude rubber and natural latex to be consumed in the manufacture of hand made component hard rubber parts of machinery for the manufacture of rayon, explosives and corrosive chemicals. (See List 19, Appendix II).

After February 15, 1944, no crude rubber or natural latex may be consumed in the manufacture of the above mentioned blown hard rubber products.

After February 15, 1944, the maximum percentage of crude rubber or natural

latex by volume in any compound for hand made component parts of machinery for the manufacture of rayon, explosives and corrosive chemicals shall not exceed 10% by volume of the compound.

§ 4600.52 *Wire and cable.* The following supplementary orders and directives are applicable to wire and cable:

- (a) [Deleted Jan. 12, 1944]
- (b) [Deleted Jan. 12, 1944]
- (c) [Deleted Jan. 12, 1944]

(d) *X-ray cable.* After February 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of X-ray cable, high voltage, as shown in List 27, Appendix II, under "Commercial Types".

(e) *Long range field wire.* After February 1, 1944, no crude rubber or natural latex may be consumed in the manufacture of W-143 long range field wire.

§ 4600.53 *Tires and tubes.* The following supplementary orders and directives are applicable to tires and tubes:

(a) *Fighter type and ice grip airplane tires.* Rubber Order R-1, List 29, requires that all airplane tires (except beaching gear tires) be manufactured in the S-5 or S-7 synthetic construction. These provisions shall not apply to fighter type and ice grip airplane tires. All fighter type and ice grip airplane tires shall be manufactured using natural rubber compounds throughout the tire until further notice; the compound grades to be used shall be B friction and B tread on all sizes except the following which shall be A friction and A tread.

| Size | Ply | Type |
|-----------------|-----|-----------------------------|
| 47..... | 12 | Smooth contour landing. |
| 51..... | 14 | Do. |
| 56..... | 16 | Do. |
| 65..... | 18 | Do. |
| 65..... | 22 | Do. |
| 44 x 12..... | 14 | High pressure special duty. |
| 46 x 13..... | 16 | Do. |
| 17.00 x 20..... | 12 | Low pressure landing. |
| 19.00 x 23..... | 16 | Do. |

- (b) Deleted Feb. 15, 1944.
- (c) Deleted Feb. 15, 1944.
- (d) Deleted Feb. 15, 1944.
- (e) Deleted Feb. 15, 1944.

§ 4600.54 *Footwear.* All outstanding supplementary orders and directives relating to footwear have been superseded by Rubber Order R-1 as amended.

§ 4600.55 *Heels and soles.* All outstanding supplementary orders and directives relating to heels and soles have been superseded by Rubber Order R-1 as amended.

§ 4600.56 *Proofing and combining of fabrics.* The following supplementary orders and directives are applicable to the proofing and combining of fabrics:

(a) *Industrial protective clothing.* Rubber Order R-1 as amended prohibits the consumption of crude rubber, natural latex or general purpose synthetics in the following item (Code 17, Schedule A): "Compounds for proofing fabrics designed for the manufacture of industrial

occupational protective clothing, including cements for seaming, limited to aprons, leggings, sleeves, pants, coats, jackets, hats, and fireman's and policeman's clothing other than footwear and gloves".

Manufacturers are hereby authorized to consume GR-S in addition to reclaimed rubber in compounds for proofing and seaming under this item.

§ 4600.57 *Medical, surgical, dental, drug sundries.* All outstanding supplementary orders and directives relating to medical, surgical, dental and drug sundries have been superseded by Rubber Order R-1 as amended.

§ 4600.58 *Miscellaneous.* The following supplementary orders and directives are applicable to miscellaneous rubber products or materials:

(a) *Pressure sensitive tape.* Rubber Order R-1 permits the consumption of general purpose synthetics, reclaimed or scrap rubber in the manufacture of pressure sensitive tape for industrial purposes to fill Government and civilian orders. Schedule A of the order requires certification by the purchaser as to his end use.

(1) Uses which are classified as "industrial" are set forth in the certification.

(2) *Certification.* With respect to civilian orders no person shall deliver or accept delivery of pressure sensitive tape (except high heat resistant and non-corrosive electric tape) unless the person acquiring the same shall certify to the seller and to the War Production Board in substantially the following form signed by an authorized official either manually or as provided in Priorities Regulation No. 7.

The undersigned hereby certifies to _____ (insert name of seller) and to the War Production Board that the pressure sensitive tape specified in the accompanying purchase order and future purchase orders will not be sold or used by him except for one or more of the following purposes:

1. Repair of transportation facilities.
2. Maintenance and manufacture of industrial and mining equipment.
3. The manufacture of the following products and parts thereof:

- (a) Aircraft.
- (b) Armored tanks.
- (c) Ships.
- (d) Army transport vehicles.
- (e) Guns.
- (f) Small arms.
- (g) Signalling devices.
- (h) Precision instruments.
- (i) Munitions.
- (j) Electrical equipment.
- (k) Machine tools.
- (l) Vehicles for common carriers and related transportation facilities.
- 4. Splicing cotton jacketed cellulose gaskets for sealing drums and paint pails.
- 5. Production and shipping of photographic and motion picture film and X-ray film.

6. Sealing containers used to maintain sterility or vacuum in the manufacture of medicine and drugs; industrial and wholesale packaging of drugs and chemicals.

Name _____
By _____
Address _____
City _____
Date _____

The foregoing certification requirement does not apply to Government orders.

Certification in substantially the above form constitutes the approved form of certification required for deliveries of pressure sensitive tape.

The foregoing certification shall not be required for deliveries of pressure sensitive tape to a person who has already filed the certification with his supplier.

Certification of the purchaser may be relied upon by the seller unless the seller knows or has reason to believe that the certification is false.

(b) *Inflatable or pneumatic mattresses, cushions and pillows.* Rubber Order R-1 as amended does not permit the consumption of rubber or synthetic rubber in the manufacture of inflatable or pneumatic mattresses, cushions or pillows, to fill civilian orders.

In addition, the consumption of rubber or synthetic rubber in the manufacture of the foregoing products to fill Government orders is hereby prohibited except upon special authorization in writing by the War Production Board. (This supersedes SA-142.)

(c) *Shoe cements.* Notwithstanding the provisions of any quota directive 4-A or 4-B, no crude rubber or natural latex shall be consumed in the manufacture of shoe cements after December 31, 1943 without special authorization.

In order to receive adjustments of quota directives for this purpose, manufacturers should address a letter to the Manager of Allocations, Office of Rubber Director, Washington 25, D. C.

In this connection, it should be noted that Rubber Order R-1 as amended permits shoe cements containing crude rubber or natural latex only for shoe repairing.

(d) *Shoe cement inventories in hands of shoe manufacturers on January 1, 1944.* Shoe manufacturers who hold inventories of shoe cements which contain crude rubber or natural latex on January 1, 1944 are hereby authorized to use the same for the following permitted shoe manufacturing operations until April 1, 1944:

(1) Cutting and fitting room operations limited to: Folding uppers including French cord binding.

(2) Lasting room operations limited to: Bed, side and semi-automatic toe lasting; stitchdown construction lasting linings to insoles and uppers to midsoles or outsoles.

(3) Bottoming or making room operations limited to: Sole laying as follows—cementing bottoms and outsoles or butsole midsole combinations prior to permanent attachment; prewelt bottom assembly and permanent attachment of platforms and outsoles; McKay outsole channels.

(4) Stock fitting room operations limited to: Cementing welt insole ribs and lips; coating and attaching gem duck to welt innersoles.

(5) Special operations limited to: Joining leather welting.

Shoe manufacturers are hereby granted permission to purchase and sell such cements for use in the foregoing operations prior to April 1, 1944.

Inventories of shoe cements containing crude rubber or natural latex which remain in the hands of any shoe manufacturer on April 1, 1944 shall be reported to the Office of Rubber Director, War Production Board, by letter indicating the amounts of cement by type of operation.

(e) *Cements containing Neoprene for wood heels.* After February 1, 1944, no person shall deliver or accept delivery of cement containing Neoprene if he knows or has reason to believe that it will be used for covering wood heels. After February 15, 1944, no person shall use any cement containing Neoprene for the covering of wood heels except to fill Government orders.

(f) *Cements for non-leather shoes.* Cements containing general purpose synthetics may be used in the manufacture of shoes made from materials other than leather except that cements containing Neoprene shall be used only in the shoe manufacturing operations for which Neoprene is permitted in the manufacture of leather shoes by Amendment No. 1 to Rubber Order R-1 as amended.

NOTE: Paragraphs (g) and (h), formerly (f) and (g), redesignated Feb. 15, 1944.

(g) *Definition of light colored carcass scrap.* Rubber Order R-1 as amended refers to No. 1 and No. 2 light colored carcass. For the purposes of the order, No. 1 light colored carcass means all-white zinc carcass, and No. 2 light colored carcass means and includes light colored types such as white, pink, light grey, pure gum and light brown carcass.

(h) *Neoprene quota restrictions.* No person shall consume General Purpose Synthetic Neoprene types GR-M, GN or Latex without a quota assigned by quota directive or other authorization specifying the amounts which he may consume, and no person shall exceed the quantities which he is specifically authorized to consume in any designated period.

(i) *Temporary loans of general purpose synthetics.* A manufacturer may make a short term "loan" of general purpose synthetics to another manufacturer for permitted uses under Rubber Order R-1 as amended. A loan must not be made unless the person lending the material is reasonably certain that an equivalent amount of the material will be returned to him when he needs it. Full records of the loan transactions must be kept by both persons lending and persons borrowing, and the transactions must be reported as shipments or receipts on Form WPB-3410 for the calendar month in which the transactions occur. Each transaction shall be identified separately on the form under "remarks". Deliveries of material under this paragraph may be made without special authorization.

(j) *Elastic webbing.* Rubber Order R-1 includes the item, "elastic webbing not exceeding 4" in width" in Code 22,

Schedule A. This item refers to combined knitted fabric cut to widths not exceeding 4".

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 15th day of February 1944.

RUBBER DIRECTOR,
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-2212; Filed, February 15, 1944;
11:23 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 88]

FUEL OIL, GASOLINE, LIQUEFIED PETROLEUM GAS, NAPHTHAS AND SOLVENTS

Revised Price Schedule No. 88 is redesignated Maximum Price Regulation No. 88 and is revised and amended to read as follows:

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328. Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1340.151 *Maximum prices for fuel oil, gasoline, liquefied petroleum gas, naphthas and solvents.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, Maximum Price Regulation No. 88 (Fuel Oil, Gasoline, Liquefied Petroleum Gas, Naphthas and Solvents), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1340.151 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328; 8 F.R. 4631.

MAXIMUM PRICE REGULATION NO. 88—FUEL OIL, FUELS, GASOLINE, LIQUEFIED PETROLEUM GAS, NAPHTHAS AND SOLVENTS

ARTICLE I—GENERAL PROVISIONS AND SCOPE OF REGULATION

Sec.

- 1.1 To what products this regulation is applicable.
- 1.2 To what transactions, persons and areas this regulation is applicable.
- 1.3 Products and transactions exempted from the General Maximum Price Regulation.
- 1.4 Sales for export.
- 1.5 Imports.
- 1.6 Sales to United States and other governments under secret contract excepted.
- 1.7 Transfers of business or stock in trade.
- 1.8 Adjustable pricing.
- 1.9 Applications for adjustment and petitions for amendment.
- 1.10 Taxes.
- 1.11 Shifts which must be reported.

*Copies may be obtained from the Office of Price Administration.

Sec.

- 1.12 Records and price filing requirements.
- 1.13 Compliance with this regulation required.
- 1.14 Definitions.
- 1.15 How to ascertain a particular maximum price under this regulation.

ARTICLE II—SPECIFIC MAXIMUM PRICES OF FUEL OIL, FUELS AND LIQUEFIED PETROLEUM GAS FOR AREAS WITHIN SINGLE STATES OR TERRITORIES OR THE DISTRICT OF COLUMBIA

Special section 1—Permissible increases for certain marketers.

Special section 2—Permissible brokerage charges to buyers.

Sec.

- 2.1 Alabama.
- 2.2 Arizona.
- 2.3 Arkansas.
- 2.4 California.
- 2.5 Colorado.
- 2.6 Connecticut.
- 2.7 Delaware.
- 2.8 Florida.
- 2.9 Georgia.
- 2.10 Idaho.
- 2.11 Illinois.
- 2.12 Indiana.
- 2.13 Iowa.
- 2.14 Kansas.
- 2.15 Kentucky.
- 2.16 Louisiana.
- 2.17 Maine.
- 2.18 Maryland.
- 2.19 Massachusetts.
- 2.20 Michigan.
- 2.21 Minnesota.
- 2.22 Mississippi.
- 2.23 Missouri.
- 2.24 Montana.
- 2.25 Nebraska.
- 2.26 Nevada.
- 2.27 New Hampshire.
- 2.28 New Jersey.
- 2.29 New Mexico.
- 2.30 New York.
- 2.31 North Carolina.
- 2.32 North Dakota.
- 2.33 Ohio.
- 2.34 Oklahoma.
- 2.35 Oregon.
- 2.36 Pennsylvania.
- 2.37 Rhode Island.
- 2.38 South Carolina.
- 2.39 South Dakota.
- 2.40 Tennessee.
- 2.41 Texas.
- 2.42 Utah.
- 2.43 Vermont.
- 2.44 Virginia.
- 2.45 Washington.
- 2.46 West Virginia.
- 2.47 Wisconsin.
- 2.48 Wyoming.
- 2.49 Hawaii.
- 2.50 Puerto Rico.
- 2.51 Alaska.
- 2.52 District of Columbia.

ARTICLE III—MAXIMUM PRICES FOR HEAVY FUEL OIL FOR AREAS NOT LIMITED TO A SINGLE STATE OR TERRITORY

Special section 1—Permissible increases for certain marketers.

Special section 2—Permissible brokerage charges to buyers.

Sec.

- 3.1 Maximum prices of residual fuel oils and blends thereof with distillate fuel oils, of certain API gravities indicated below and otherwise meeting current commercial standard specifications for fuel oils, except all Diesel fuel oils.

ARTICLE IV—SPECIFIC MAXIMUM PRICES FOR GASOLINE FOR AREAS WITHIN SINGLE STATES OR TERRITORIES OR THE DISTRICT OF COLUMBIA

Special section 1—Permissible increases for certain marketers.

Special section 2—Permissible brokerage charges to buyers.

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 4.1 Alabama.
 4.2 Arizona.
 4.3 Arkansas.
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 4.7 Delaware.
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 4.11 Illinois.
 4.12 Indiana.
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 4.14 Kansas.
 4.15 Kentucky.
 4.16 Louisiana.
 4.17 Maine.
 4.18 Maryland.
 4.19 Massachusetts.
 4.20 Michigan.
 4.21 Minnesota.
 4.22 Mississippi.
 4.23 Missouri.
 4.24 Montana.
 4.25 Nebraska.
 4.26 Nevada.
 4.27 New Hampshire.
 4.28 New Jersey.
 4.29 New Mexico.
 4.30 New York.
 4.31 North Carolina.
 4.32 North Dakota.
 4.33 Ohio.
 4.34 Oklahoma.
 4.35 Oregon.
 4.36 Pennsylvania.
 4.37 Rhode Island.
 4.38 South Carolina.
 4.39 South Dakota.
 4.40 Tennessee.
 4.41 Texas.
 4.42 Utah.
 4.43 Vermont.
 4.44 Virginia.
 4.45 Washington.
 4.46 West Virginia.
 4.47 Wisconsin.
 4.48 Wyoming.
 4.49 Hawaii.
 4.50 Puerto Rico.
 4.51 Alaska.
 4.52 District of Columbia.

ARTICLE V—FORMULAS FOR ASCERTAINING MAXIMUM PRICES

5.1 Published prices.
 5.2 In accordance with price charged on specified sales in a base period.
 5.3 In accordance with maximum prices of other sellers at the same point.

ARTICLE VI—INCREASES OR REDUCTIONS TO MAXIMUM PRICES DETERMINED UNDER ARTICLE V

6.1 On any product covered by this regulation.
 6.2 On sales of fuel oil, generally.
 6.3 On sales of distillate and distillate type fuel oils.
 6.4 On sales of residual or residual type fuel oils.
 6.5 On sales of gasoline.
 6.6 On sales of liquefied petroleum gas.
 6.7 On sales of naphthas and solvents.

ARTICLE VII—MAXIMUM TANK WAGON PRICES DETERMINED IN ACCORDANCE WITH REFERENCE SELLER'S PRICES

7.1 Notice by tank wagon sellers.
 7.2 Designated reference sellers.
 7.3 Consumers tank wagon prices.
 7.4 In the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin.—Products for which use of reference seller's maximum prices are required.
 7.5 In States other than those covered by section 7.4—Use of reference seller's maximum prices optional.

ARTICLE VIII—MAXIMUM PRICES TO BE ESTABLISHED UPON APPLICATION

Sec.
 8.1 Continuing effectiveness of certain maximum prices heretofore approved under § 1340.159 (b) (7) or (b) (16) of Revised Price Schedule No. 88.
 8.2 For waste or re-refined lubricating oil sold for use as fuel oil.
 8.3 For all other products covered by this regulation.

ARTICLE I—GENERAL PROVISIONS AND SCOPE OF REGULATIONS

SECTION 1.1 *To what products this regulation is applicable.* The provisions of this regulation cover the following products:

Tractor distillates and similar distillate type motor fuels other than gasoline. Distillate burning, heating or fuel oils, including kerosene, range and stove oils. Diesel fuels. All grades of gasoline, including natural gasoline and blending naphthas, except 30 Octane ASTM All-Purpose gasoline when sold to the United States Government or any agency thereof and aviation gasoline of 87 Octane rating or higher. Special hydro-carbon fractions when sold for use in the manufacture of gasoline and the components thereof, except those fractions when sold for use in the manufacture of either aviation gasoline of 87 Octane rating or higher or its components. Liquefied petroleum gas except when sold for use in the manufacture of synthetic rubber and aviation gasoline. Industrial naphthas and solvents derived from petroleum.

SECTION 1.2 *To what transactions, persons and areas this regulation is applicable.* (a) This regulation covers all types of sales and deliveries either by refiners, blenders, resellers or any other person with the following exceptions:

(1) Retail sales at retail establishments.

(2) Exchanges of petroleum products between refiners unless a provision is written or a price established solely for this type of transaction.

(3) Sales between original suppliers pursuant to assignments or reassignments under Petroleum Directive No. 59 of the Petroleum Administration for War unless a provision is written or a price established solely for this type of transaction.

(4) Sales between corporations when one is a wholly owned subsidiary of the other, or when both are wholly owned subsidiaries of a third corporation, and sales between such other affiliated corporations as are especially excepted by order in writing of the Price Administrator or his duly authorized representative.

(5) Sales by the Defense Supplies Corporation at pipe line termini.

(b) This regulation applies in the forty-eight states of the United States, District of Columbia and the territories and possessions of the United States except in the Panama Canal Zone where the provisions of Supplementary Order No. 8 apply.

SECTION 1.3 *Products and transactions exempted from the General Maximum Price Regulation.* Any products or transactions stated in sections 1.1 or 1.2 to be excepted from the coverage of the provisions of this Regulation are also exempt from the provisions of the General Maximum Price Regulation.

SECTION 1.4 *Sales for export.* The maximum price at which a person may export any commodity covered by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation including amendments issued or hereafter issued by the Office of Price Administration.

SECTION 1.5 *Imports.* The provisions of this regulation do not apply to the purchases, sales or deliveries of the commodities named in this regulation if they originate outside of and are imported into the continental United States. Sales, purchases and deliveries of such imported commodities are governed by the provisions of the Maximum Import Regulation.

SECTION 1.6 *Sales to United States and other governments under secret contract excepted.* This regulation shall not apply to sales or deliveries of any product made under a contract or subcontract that is officially classified as "Secret" and certified as such to the Office of Price Administration by the United States or any agency thereof, or by the Government or any agency thereof of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States". Such certification shall set forth the date of the secret contract or subcontract and its number or other designation. The certifying Government agency shall notify the contractor or subcontractor and the Office of Price Administration whenever such contract or subcontract ceases to be secret; upon receipt of such notification this exception shall not apply.

SECTION 1.7 *Transfers of business or stock in trade.* This section covers cases where the business effects or stock in trade of any seller or any person are sold, leased or otherwise transferred after October 15, 1941, and the transferee carries on the business or contracts to deal in the same commodity in an establishment separated from any other establishment previously owned or operated by the transferee. In such cases the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place. His obligation to keep records and make reports shall be the same as those of the transferor. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation and those of the General Maximum Price Regulation where the latter were applicable.

SECTION 1.8 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery. Where a petition for adjustment or amendment is pending the buyer and seller may agree that prices for deliveries made during the pendency of the petition shall be determined in accordance with the disposition of the petition. Such change in prices will be allowed if the deliveries are necessary to promote distribution or production and if it will not

interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

SEC. 1.9 Applications for adjustment and petitions for amendment—(a) **Government contracts.** Any person who has entered into or proposes to enter into a "Government contract" as defined by Revised Supplementary Order No. 8 who believes that a maximum price contained in this regulation impedes or threatens to impede production, manufacture or distribution of a commodity essential to the war program, may file an application for adjustment in accordance with Procedural Regulation No. 6 and under the terms of Revised Supplementary Order No. 9.

(b) **Petitions for amendment.** Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

(d) **Local shortages.** The Office of Price Administration, or any duly authorized representative thereof, may adjust by order any maximum price established under this regulation for any seller or group of sellers when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of a petroleum product which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such petroleum product; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

NOTE: Applications for adjustment shall be filed in Washington, D. C. in accordance with Revised Procedural Regulation No. 1.

(4) Any maximum price or prices established pursuant to an order issued under the provisions of § 1340.156 (d) of Revised Price Schedule 88 shall continue in full force and effect subject to revocation or amendment upon written notice from the Office of Price Administration.

SEC. 1.10 Taxes. Any tax increase or new tax hereafter imposed upon or incident to the sale, delivery, processing or use of any petroleum product covered by this regulation may be collected by a seller in addition to the maximum prices established under this regulation.

NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."

SEC. 1.11 Shifts which must be reported. A seller who on the last sale prior to January 15, 1944 sold a particular petroleum product to a purchaser who is a reseller on a delivered price basis at a given point and thereafter sells such a reseller on an f. o. b. shipping point price basis shall report such fact to the regional office of the Office of Price Administration serving the point of destination for such shipment within ten days after either the effective date of this regulation or the date such sale is made, if but only if, the effect of selling on an f. o. b. shipping point price basis is to increase the laid-down cost to the reseller above the seller's maximum delivered price to such reseller.

SEC. 1.12 Records and price filing requirements. Every person selling petroleum products subject to this regulation shall for a period of two years keep and make available for examination by the Office of Price Administration records of the same kind as he customarily kept, relating to the prices which he charged for such petroleum products and in addition, records showing the basis upon which he determined maximum prices for such petroleum products.

SEC. 1.13 Compliance with this regulation required. (a) On and after the effective date of this regulation regardless of any contract, obligation or understanding, no person shall sell or deliver and no person shall buy or receive in the course of trade or business any petroleum products covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things. Prices lower than the maximum prices may, of course, be charged and paid.

(b) **Evasion.** The price limitations set forth in this regulation shall not be evaded either by direct or indirect methods in connection with a sale, delivery or transfer of petroleum products alone or in conjunction with any other materials or by way of any commission, service, transportation, loading, tank car rental or other charge or discount, premium or privilege or by tying agreement or other trade understanding or by a change in the quality of a product or otherwise.

(c) **Penalties for non-compliance**—(1) **In general.** Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions and suits for treble damages provided by the Emergency Price Control Act of 1942 as amended.

War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to war procurement agencies and buyers to whom such products have been allocated by any such agencies are, however, subject to all the liabilities imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

(d) **Licensing.** The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 1.14 Definitions. (a) "Person" includes any individual, corporation, partnership, association, or any other organized group of persons, the legal successors thereto and representatives thereof and includes any government, its political subdivisions and agencies.

(b) "Product of the same grade." For a product of a particular seller to be regarded as of the same grade as the product of another seller it must customarily have been so regarded in trade practice at the point of sale and it must be a product that has customarily been sold in competition with the product of such other seller.

(c) "Contract" means an agreement, the existence of which is established by written evidence.

(d) As determined or established under any provision of this regulation, a maximum price of a product in bulk lots f. o. b. a refinery or a shipping point means a price that a seller may charge for the product loaded into transportation facilities except when the product has been placed in packages or containers for shipment.

(e) "Tank wagon price" means the price at which a petroleum product is sold and delivered by tank wagon to the ultimate consumer of the particular product or to a person who resells the product at a retail establishment.

(f) "Tank wagon area" as used in this regulation means the reference seller's tank wagon area served from any given point (see Article VII for designated reference sellers).

(g) "Retail establishment" means a store, shop, garage, service station, or other place of business in which a petroleum product covered by this regulation is sold at retail other than by delivery in tank wagon or larger lots.

(h) "Reseller" as used in any paragraph of Article II of this regulation means a reseller at a retail establishment.

(j) "Marketing" and "eligible marketer".

(1) "Marketing", as the term is used in this regulation, means the business of buying petroleum products and reselling the same to any person other than a domestic consumer.

(2) An "eligible marketer" is a marketer who within the 60 day period preceding January 15, 1944, was engaged in the business of marketing petroleum products covered by this regulation and was maintaining an office therefor. Refiners, bulk plant or terminal operators or any corporation in whole or part owning or owned by one of the foregoing shall not be regarded as eligible marketers.

(k) "Broker", "eligible broker" and "brokerage commission".

(1) A "broker" is an agent who performs services for a buyer or a seller in connection with the sale of petroleum products and who does not take title to the product or products involved in the sale.

(2) An "eligible broker" is a broker who within the 60 day period preceding January 15, 1944, was engaged in the business of a broker in petroleum products covered by this regulation and was maintaining an office therefor. Refiners, bulk plant or terminal operators or any corporation in whole or part owning or owned by one of the foregoing shall not be regarded as eligible brokers.

(3) "Brokerage commission" is money paid or agreed to be paid to one or more brokers by a buyer or seller for the services of such broker or brokers in bringing about a sale of petroleum products.

(m) "Original supplier" means a person as so defined by the Petroleum Administrator for War in Petroleum Directive No. 59.

(n) Schedule "D" area of Zone 6 of Petroleum Administration for War District 1 covers an area described as follows:

(1) The entire State of West Virginia with the exception of the Counties of: Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan, Pendleton, Randolph and Tucker.

(2) The following counties in the State of Pennsylvania: Allegheny, Armstrong, Beaver, Butler, Cameron, Clarion, Clinton, Crawford, Elk, Erie, Fayette, Forest, Greene, Jefferson, Lawrence, McKean, Mercer, Potter, Tioga, Venango, Warren, Washington and Westmoreland.

(3) The following counties in the State of New York: Allegany, Cattaraugus, Chautauqua, Erie, Niagara and Steuben.

(p) "PAW" means Petroleum Administration for War.

(q) "P. W. distillate" means prime white distillate.

Sec. 1.15 How to ascertain a particular maximum price under this regulation—(a) Prices of fuel oil and fuels (except waste lubricating oil or re-refined lubricating oil prices). After you have read Article I containing various general provisions, check Article II and ascertain whether there is a specific maximum price at the shipping or delivery point involved in your sale; if not, and if you are selling a fuel oil of the types mentioned in Article III, your maximum price will be established or determined under one of the tables therein and the provisions of the Article. If neither Article II nor III applies, it may be that your maximum price can be determined from one of the formulas set forth in Article V.

If it can be, then you should also examine Article VI carefully to ascertain whether there are any additions which may be made or any reductions which must be made to the formula price. Note that more than one addition to the maximum price determined under Article V may be provided by Article VI. If you are concerned with a maximum tank wagon price, Article VII should then be examined. It deals with provisions for determining a maximum tank wagon price at the point of sale in accordance with the maximum tank wagon price of the state's reference seller at the same point. Note two things: First, if you have not been able to ascertain your maximum price under any preceding article of the regulation, you may adopt the reference seller's price providing he has one at that particular point, and second, even if your price has been determined under Article V you may neverthe-

maximum price under any preceding Article of the regulation, you may adopt the reference seller's price providing he has one at that particular point, and second, even if your price has been determined under Article V you may nevertheless at some points adopt the reference seller's price instead if it is higher than your own, though at other points you are required to take the reference seller's price even if it is lower than yours.

If you have not been able to ascertain a maximum price under the aforementioned Articles, you should then apply to the Office of Price Administration for a maximum price pursuant to the provisions of Article VIII.

(b) Prices of waste lubricating oil or re-refined lubricating oil sold for use as fuel oil. Read Article I for the various general provisions of the regulation, then turn to Article VIII which provides that maximum prices for either waste lubricating oil or re-refined lubricating oil must be established by application to the Office of Price Administration. There is no other method for establishing a maximum price for such products.

(c) Liquefied petroleum gas prices. After you have read Article I containing general provisions, check Article II and ascertain whether there is a specific maximum price at the shipping or delivery point involved in your sale. If Article II does not apply, it may be that your maximum price can be determined from the formulas set forth in Article V.

If it can be, then you should also examine Article VI carefully to ascertain whether there are any additions which may be made or reductions which must be made to the formula price.

If you have not been able to ascertain maximum prices under the aforementioned articles, you should then apply to the Office of Price Administration for a maximum price pursuant to the provisions of Article VIII.

(d) Gasoline prices. After you have read Article I containing various general provisions, check Article IV and ascertain whether there is a specific maximum price at the shipping or delivery point involved in your sale. If not, it may be that your maximum price can be determined from the formulas set forth in Article V.

If it can be, then you should also examine Article VI carefully to ascertain whether there are any additions which may be made or any reductions which must be made to the formula price. Note that more than one addition to a maximum price determined under Article V may be provided by Article VI. If you are concerned with a maximum tank wagon price, Article VII should then be examined. It deals with provisions for determining a maximum tank wagon price at the point of sale in accordance with the maximum tank wagon price of the state's reference seller at the same point. Note two things: First, if you have not been able to ascertain your maximum price under any preceding article of the regulation, you may adopt the reference seller's price providing he has one at that particular point, and second, even if your price has been determined under Article V you may neverthe-

less at some points adopt the reference seller's price instead if it is higher than your own, though at other points you are required to take the reference seller's price even if it is lower than yours.

If you have not been able to ascertain a maximum price under the aforementioned articles, you should then apply to the Office of Price Administration for a maximum price pursuant to the provisions of Article VIII.

(e) Naphtha and solvent prices. After you have read Article I containing various general provisions, turn to Article V. It may be that your maximum price can be determined from the formulas set forth in such article. If it can be, then you should also examine Article VI carefully to ascertain whether there are any additions which may be made or any reductions which must be made to the formula price. Note that more than one addition to a maximum price determined under Article V may be provided by Article VI.

If you are not able to ascertain a maximum price under Article V, you must apply to the Office of Price Administration for a maximum price pursuant to the provisions of Article VIII.

ARTICLE II—SPECIFIC MAXIMUM PRICES OF FUEL OIL, FUELS AND LIQUEFIED PETROLEUM GAS FOR AREAS WITHIN SINGLE STATES OR TERRITORIES OR THE DISTRICT OF COLUMBIA

(Prices stated in Article II are exclusive of taxes)

Special section 1—Permissible increases for certain marketers—(a) On certain f. o. b. refinery shipments. On f. o. b. refinery shipments to ultimate destinations other than in Petroleum Administration for War District I, when made by an eligible marketer, as defined in section 1.14 (j) of this regulation, the sum of $\frac{1}{8}$ of a cent per gallon may be added to a maximum f. o. b. refinery price established for the particular shipping point under any other section of this Article II; or

(b) On sales to governmental agencies pursuant to public bidding. If bids are taken by a governmental agency on an f. o. b. shipping point price basis then, on such a bid, if the bidder is an eligible marketer, as defined in section 1.14 (j), the sum of $\frac{1}{4}$ of a cent per gallon may be added to a maximum f. o. b. refinery price established for the particular shipping point under any other section of this Article II. *Provided*, That the laid-down cost to such governmental agency does not exceed the sum of the maximum f. o. b. price of each person participating in the particular bidding as determined or established under any other section of this regulation for the shipping point from which each bidder proposes to make shipment plus the actual cost of transportation that would be incurred from such point to destination by such person.

Special section 2—Permissible brokerage charges to buyers. The terms "broker," "eligible broker" and "brokerage commission" are defined in section 1.14 (k) of this regulation. Except as herein provided, a buyer may not be charged brokerage commission which will increase the buyer's cost on an f. o. b. refinery shipment to more than the ap-

plicable f. o. b. refinery price established below in this Article II. On f. o. b. refinery shipments found or negotiated by an eligible broker or eligible brokers a buyer may, however, be charged such brokerage commission which, added to the applicable maximum f. o. b. refinery price established below in this Article II, will not increase the buyer's cost f. o. b. the particular refinery to more than $\frac{1}{8}$ of a cent per gallon above the said maximum f. o. b. refinery price.

SEC. 2.1 *Alabama*—(a) *Mobile*. The maximum price for distillate Diesel oil of 28° A. P. I. gravity and above, ship's bunkers (ex lighterage) and f. o. b. refineries and terminals in bulk lots, shall be 4.625¢ per gallon.

(b) *Port Birmingham and Lynn Park*. The maximum price of kerosene, of 41 A. P. I. gravity and above, f. o. b. ter-

minals at either Port Birmingham or Lynn Park when loaded into tank cars or motor transports, shall be 5.375 cents per gallon.

(c) *Birmingham*. The maximum price of kerosene, of 41 A. P. I. gravity and above, f. o. b. terminals and bulk plants at Birmingham, when loaded into tank cars or motor transports, shall be 5.625 cents per gallon.

SEC. 2.2 *Arizona*.

SEC. 2.3 *Arkansas*—(a) *El Dorado area*. In the El Dorado area, comprising the Counties of Miller, Hempstead, Lafayette, Nevada, Columbia, Ouachita, Calhoun and Union, maximum prices of the products listed below f. o. b. refineries and loaded into tank cars, motor transports and pipe lines² for shipment to the destinations indicated below³ shall be as follows:

| Products | For shipment to ultimate destinations | | |
|----------------------------------------------|-------------------------------------------------------------|---------------------|--------------|
| | Column 1 | Column 2 | Column 3 |
| | Ariz., Ark., Colo., La., N. Mex., Okla., and Texas | PAW District One | Other States |
| Kerosene, distillate fuel oils and gas oils: | | | |
| 42-44 API Grav. W. W. kerosene | 4.50 | 4.125 | 4.375 |
| 41-43 API Grav. W. W. kerosene | 4.375 | 4.125 | 4.25 |
| Ranges or stove oil | 4.00 | 3.875 | 3.875 |
| No. 1 prime white distillate (fuel oil) | 3.875 | 3.875 | 3.75 |
| No. 1 straw fuel oil | 3.75 | 3.75 | 3.625 |
| No. 2 fuel oil | 3.625 | 3.625 | 3.50 |
| No. 3 fuel oil | 3.50 | 3.50 | 3.375 |
| Gas oil, zero cold test (32-36 gr.) | 3.375 | 3.375 | 3.25 |
| Gas oil, ordinary | 3.00 | 3.00 | 2.875 |
| Diesel fuels (distillate): ¹ | | | |
| 58 Diesel index and above | 4.25 | 4.25 | 4.125 |
| 53-57 Diesel index | 4.125 | 4.125 | 4.00 |
| 52 Diesel index and below | 4.00 | 4.00 | 3.875 |

¹ These prices apply only to fuels sold for use in Diesel engines.

(b) *Fort Smith tank wagon area*. The maximum tank wagon price for kerosene shall be 8¢ per gallon.

(c) *Texarkana tank wagon area*. The maximum tank wagon price for kerosene shall be 7¢ per gallon.

SEC. 2.4 *California*—(a) *State of California*. Maximum prices f. o. b. refineries and tanker terminals for residual fuel oil having a viscosity of not less than 18 and not more than 60 seconds Saybolt Furol (122° F.) and otherwise meeting the specifications of Pacific Standard No. 300 fuel oil and residual fuel oil having a viscosity of not less than 60 seconds Saybolt Furol (122° F.) and meeting all other specifications of Pacific Standard No. 400 fuel oil when sold to consumers or refiners in bulk lots for delivery into barges, tank steamers, ship's bunkers, tank car, motor transport and pipe line shall be as follows:

| Area | P. S. No. 300 fuel oil | P. S. No. 400 fuel oil | Navy grade special |
|------------------------|---------------------------------|---------------------------------|--------------------------|
| Fresno County | \$1.20 | \$1.10 | \$1.265 |
| Kings County | 1.20 | 1.10 | 1.265 |
| San Luis Obispo County | 1.20 | 1.10 | 1.265 |
| Tulare County | 1.20 | 1.10 | 1.265 |
| Santa Barbara County | 1.20 | 1.10 | 1.265 |
| Kern County | 1.20 | 1.10 | 1.265 |
| Ventura County | 1.20 | 1.10 | 1.265 |
| Los Angeles County | 1.20 | 1.10 | 1.265 |
| Orange County | 1.20 | 1.10 | 1.265 |
| Riverside County | 1.20 | 1.10 | 1.265 |
| San Bernardino County | 1.20 | 1.10 | 1.265 |
| San Francisco Bay Area | 1.25 | 1.15 | 1.315 |

¹ Maximum f. o. b. refinery and tanker terminal prices at Port San Luis shall be the maximum prices established hereunder at the San Francisco Bay area.

SEC. 2.5 *Colorado*.

SEC. 2.6 *Connecticut*—(a) *Bridgeport, Connecticut area*. In the Bridgeport area comprising the townships and cities

of Bridgeport, Easton, Fairfield, Monroe, Stratford, Trumbull, Weston and Westport, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

| | Cents per gallon |
|---------------------------------------------------------------------------|---------------------|
| F. o. b. terminals in bulk lots loaded into tank cars or motor transports | 7.5 |
| Loaded into buyer's tank wagons | 7.8 |
| Loaded into containers, in quantities of 10 gallons or less | 11.3 |
| Tank wagon deliveries to resellers in quantities of 25 gallons or over | 9.5 |
| Tank wagon deliveries to consumers in quantities of 25 gallons or over | 10.3 |
| Tank wagon deliveries to consumers in quantities of less than 25 gallons | 11.8 |

(b) *New Haven, Connecticut area*. In the New Haven area comprising the townships and cities of Bethany, Branford, East Haven, Hamden, Milford, North Branford, North Haven, New Haven, Orange, West Haven and Woodbridge, maximum prices shall be as follows:

| | Cents per gallon |
|-------------------------------------------------------------------------------|---------------------|
| (1) For kerosene, No. 1 fuel oil and range oil: | |
| F. o. b. terminals in bulk lots loaded into tank cars or motor transports | 7.5 |
| Loaded into buyer's tank wagons | 7.8 |
| Loaded into containers, in quantities of 10 gallons or less | 11.3 |
| Tank wagon deliveries to resellers in quantities of 25 gallons or over | 9.5 |
| Tank wagon deliveries to consumers in quantities of 25 gallons or over | 10.3 |
| Tank wagon deliveries to consumers in quantities of less than 25 gallons | 11.8 |
| (2) For No. 2 fuel oil: | |
| F. o. b. terminals in bulk lots loaded into tank cars, or motor transports | 7.1 |
| At tanker and barge terminal operators' yards loaded into buyers' tank wagons | 7.3 |
| At inland points, loaded into buyers' tank wagons | 7.4 |
| Tank wagon deliveries to consumers in quantities of 100 gallons or over | 8.9 |
| Tank wagon deliveries to consumers in quantities of less than 100 gallons | 9.4 |

(c) *Hartford, Connecticut area*. In the Hartford area comprising the townships and cities of Bloomfield, East Hartford, East Windsor, Glastonbury, Hartford, Newington, Weathersfield, Windsor, Windsor Locks, West Hartford and South Windsor, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

| | Cents per gallon |
|---------------------------------------------------------------------------|---------------------|
| F. o. b. terminals in bulk lots loaded into tank cars or motor transports | 7.7 |
| Loaded into buyers' tank wagons | 8.0 |
| Loaded into containers, in quantities of 10 gallons or less | 10.5 |
| Tank wagon deliveries to resellers in quantities of 25 gallons or over | 10.5 |
| Tank wagon deliveries to consumers in quantities of 25 gallons or over | 10.5 |
| Tank wagon deliveries to consumers in quantities of less than 25 gallons | 12.0 |

(d) *Danbury, Connecticut area*. In the Danbury area comprising the following townships and cities in the State

¹ Column 2 prices apply to all shipping points within the El Dorado area for shipments to ultimate destinations in Petroleum Administration for War District 1.

² Products loaded into pipe lines for ultimate delivery to War Emergency Pipe Lines and pipe lines with Petroleum Administration for War District 1 termini shall be considered destined for Petroleum Administration for War District 1.

³ Column 1 prices also apply to ultimate destinations in the States of Alabama, Mississippi, Tennessee, and the Counties of Cape Girardeau, Dunklin, Wayne, Pemiscot, Scott, New Madrid, Butler, Bollinger, Stoddard and Mississippi in the State of Missouri.

of Connecticut: Bethel, Bridgewater, Brookfield, Danbury, Redding, Ridgefield, New Fairfield, New Milford, Newtown and Sherman, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

| | Cents per gallon |
|--------------------------------------------------------------------------|---------------------|
| Loaded into buyers' tank wagons | 8.2 |
| Loaded into captioners, in quantities of 10 gallons or less | 11.3 |
| Tank wagon deliveries to resellers in quantities of 25 gallons or over | 10.3 |
| Tank wagon deliveries to consumers in quantities of 25 gallons or over | 10.8 |
| Tank wagon deliveries to consumers in quantities of less than 25 gallons | 12.3 |

(e) *Waterbury, Connecticut and various nearby points.* (1) In the City of Waterbury and in the following towns and cities in the State of Connecticut: Naugatuck, Middlebury, Woodbury, Watertown, Wolcott, Prospect and Cheshire, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

| | Cents per gallon |
|--------------------------------------------------------------------------|---------------------|
| Loaded into buyers' tank wagons | 8.4 |
| Loaded into containers, in quantities of 10 gallons or less | 11.6 |
| Tank wagon deliveries to resellers in quantities of 25 gallons or over | 10.1 |
| Tank wagon deliveries to consumers in quantities of 25 gallons or over | 10.8 |
| Tank wagon deliveries to consumers in quantities of less than 25 gallons | 12.3 |

(2) In the City of Waterbury and in the following towns and cities in the State of Connecticut: Wolcott, Middlebury, Watertown, Plymouth, Thomaston and Bethlehem, maximum prices of Nos. 2 and 3 fuel oils shall be as follows:

| | Cents per gallon |
|---------------------------------------------------------------------------|---------------------|
| Loaded into buyers' tank wagons | 7.8 |
| Tank wagon deliveries to consumers in quantities of 100 gallons or over | 9.3 |
| Tank wagon deliveries to consumers in quantities of less than 100 gallons | 9.8 |

(f) *Greenwich and Norwalk, Connecticut area.* In the Greenwich and Norwalk area comprising the following towns and cities in the State of Connecticut: Darien, Greenwich, New Canaan, Norwalk, Stamford, Stamford City and Wilton, maximum prices shall be as follows:

| | Cents per gallon |
|---------------------------------------------------------------------------|---------------------|
| F. o. b. terminals in bulk lots loaded into tank cars or motor transports | 7.4 |
| Loaded into buyer's tank wagons except at New Canaan | 7.7 |
| Loaded into buyer's tank wagon at New Canaan | 8.0 |
| Tank wagon deliveries to resellers in quantities of 25 gallons or over | 9.5 |
| Tank wagon deliveries to consumers in quantities of 25 gallons or over | 10.8 |
| Tank wagon deliveries to consumers in quantities of less than 25 gallons | 11.8 |

(2) For Nos. 2 and 3 fuel oil:

| | Cents per gallon |
|---------------------------------------------------------------------------|---------------------|
| F. o. b. terminals in bulk lots loaded into tank cars or motor transports | 7.1 |
| Loaded into buyer's tank wagons | 7.3 |

| | Cents per gallon |
|---------------------------------------------------------------------------|---------------------|
| Tank wagon deliveries to consumers in quantities of 100 gallons or over | 9.0 |
| Tank wagon deliveries to consumers in quantities of less than 100 gallons | 9.5 |

SEC. 2.7 Delaware.

SEC. 2.8 Florida—(a) Pensacola, Panama City and Port St. Joe. The maximum price for distillate diesel oil of 28° A. P. I. Gravity and above, ship's bunkers (ex lighterage) and f. o. b. refineries and terminals in bulk lots, shall be 4.75¢ per gallon.

(b) *Jacksonville.* The maximum price of kerosene f. o. b. refineries and terminals loaded into tank cars shall be 7.05¢ per gallon.

SEC. 2.9 Georgia.

SEC. 2.10 Idaho.

SEC. 2.11 Illinois—(a) Chicago. The maximum price for fuel oil in bulk lots with a maximum viscosity of 300 Saybolt Universal at 100° F. on sales to commercial and industrial users by blenders, except refiners, f. o. b. terminals in the City of Chicago, shall be 5.1 cents per gallon.

(b) *East St. Louis; range oil.* The maximum tank wagon prices for range oil, stove oil or heater oil for the bulk plant points of East St. Louis, Illinois and the circuit points and rural territories served from such plant or plants shall be as follows:

| | Cents per gallon |
|------------------------------------------------------------------|---------------------|
| In quantities of less than 25 gallons | 8.9 |
| In quantities of as much as 25 gallons but less than 100 gallons | 8.3 |
| In quantities of 100 gallons or over | 7.9 |

(c) *Central Illinois area.* In the Counties of St. Clair, Madison, Montgomery, Bond, Clinton, Washington, Jefferson, Marion, Fayette, Shelby, Effingham, Clay, Wayne, Hamilton, Christian, White, Edwards, Wabash, Richland, Lawrence, Crawford, and Jasper in the State of Illinois, the maximum prices of the products listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

| | Cents per gallon |
|------------------------------------|---------------------|
| Kerosene and distillate fuel oils: | |
| 42-44 API Grav. W. W. kerosene | 5.875 |
| 41-43 API Grav. W. W. kerosene | 5.75 |
| Range or stove oil | 5.375 |
| No. 1 P. W. distillate (fuel oil) | 5.25 |
| No. 1 straw fuel oil | 5.125 |
| No. 2 fuel oil | 5.00 |
| No. 3 fuel oil | 4.875 |

*For Lawrence and Crawford Counties add .125.

(d) *Counties of Lake, Cook, DuPage and Will in the State of Illinois.* In the following counties of the State of Illinois: Lake, Cook, DuPage and Will, the maximum prices of the products listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

| | Cents per gallon |
|------------------------------------|---------------------|
| Kerosene and distillate fuel oils: | |
| 42-44 API Grav. W. W. kerosene | 5.875 |
| 41-43 API Grav. W. W. kerosene | 5.00 |
| Range or stove oil | 5.625 |
| No. 1 P. W. distillate (fuel oil) | 5.50 |
| No. 1 straw fuel oil | 5.375 |
| No. 2 fuel oil | 5.25 |
| No. 3 fuel oil | 5.125 |

(e) *Centralia and Salem.* In the cities of Centralia and Salem maximum prices of kerosene, according to the specifications listed below, in bulk lots f. o. b. refineries for shipment to destinations other than Petroleum Administration for War District One shall be as follows:

| | Cents per gallon |
|--------------------------------|---------------------|
| Specifications: | |
| 42-44 API Grav. W. W. kerosene | 5.625 |
| 41-43 API Grav. W. W. kerosene | 5.5 |

SEC. 2.12 Indiana—(a) Connersville tank wagon area. The maximum tank wagon price for No. 2 fuel oil shall be 8.1¢ per gallon.

(b) *Counties of Lake, Porter, and La Porte in the State of Indiana.* In the following counties in the State of Indiana: Lake, Porter, and La Porte, the maximum prices of the products listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

| | Cents per gallon |
|------------------------------------|---------------------|
| Kerosene and distillate fuel oils: | |
| 42-44 API Grav. W. W. kerosene | 6.125 |
| 41-43 API Grav. W. W. kerosene | 6.00 |
| Range or stove oil | 5.625 |
| No. 1 P. W. distillate (fuel oil) | 5.50 |
| No. 1 straw fuel oil | 5.375 |
| No. 2 fuel oil | 5.25 |
| No. 3 fuel oil | 5.125 |

(c) *Counties of Posey, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd, and Clark.* Maximum prices of the products listed below in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District 1 or the State of Michigan shall be as follows:

| | Cents per gallon |
|-----------------------------------------|---------------------|
| Products | |
| Kerosene and distillate fuel oils: | |
| 41 API Grav. and above W. W. kerosene | 5.5 |
| No. 1 prime white distillate (fuel oil) | |
| range or stove oil and No. 1 fuel oil | 5.375 |
| No. 2 fuel oil | 5.25 |
| No. 3 fuel oil | 5.125 |

(d) *Indianapolis area.* In the Indianapolis area comprised of that part of the State of Indiana which is within a radius of 25 miles of the center of Indianapolis, Indiana, maximum prices for the products listed below in bulk lots f. o. b. shipping points in such area for shipment to ultimate destinations in Petroleum Administration for War District 1 or the State of Michigan shall be as follows:

| Products | Cents per gallon |
|-------------------------------------------------------------------------------|------------------|
| Kerosene and distillate fuel oils: | |
| 41 API Grav. and above W. W. kerosene | 6.125 |
| No. 1 prime white distillate (fuel oil) range or stove oil and No. 1 fuel oil | 5.625 |
| No. 2 fuel oil | 5.50 |
| No. 3 fuel oil | 5.50 |

SEC. 2.13 Iowa.

SEC. 2.14 Kansas—(a) State of Kansas (except Kansas City area). In the State of Kansas, except that part of the state which is within a radius of 25 miles of the center of Kansas City, Missouri, the maximum prices of the products listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

| Products | Cents per gallon |
|------------------------------------|------------------|
| Kerosene and distillate fuel oils: | |
| 42-44 API Grav. W. W. kerosene | 4.625 |
| 41-43 API Grav. W. W. kerosene | 4.50 |
| Range or stove oil | 4.125 |
| No. 1 P. W. distillate (fuel oil) | 4.00 |
| No. 1 straw fuel oil | 3.875 |
| No. 2 fuel oil | 3.75 |
| No. 3 fuel oil | 3.625 |

(b) Kansas City, Missouri area. In that part of the State of Kansas which is within a radius of 25 miles of the center of Kansas City, Missouri, the maximum prices of the products listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

| Products | Cents per gallon |
|------------------------------------|------------------|
| Kerosene and distillate fuel oils: | |
| 42-44 API Grav. W. W. kerosene | 5.125 |
| 41-43 API Grav. W. W. kerosene | 5.00 |
| Range or stove oil | 4.625 |
| No. 1 P. W. distillate (fuel oil) | 4.50 |
| No. 1 straw fuel oil | 4.375 |
| No. 2 fuel oil | 4.25 |
| No. 3 fuel oil | 4.125 |

SEC. 2.15 Kentucky—(a) Counties of Union, Henderson, Daviess, Hancock, Breckinridge, Meade, Hardin, Bullitt, Jefferson, and Oldham. Maximum prices of the products listed below in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District One or the State of Michigan shall be as follows:

| Products | Cents per gallon |
|-------------------------------------------------------------------------------|------------------|
| Kerosene and Distillate fuel oils: | |
| 41 API gravity and above W. W. kerosene | 5.5 |
| No. 1 prime white distillate (fuel oil) range or stove oil and No. 1 fuel oil | 5.375 |
| No. 2 fuel oil | 5.25 |
| No. 3 fuel oil | 5.125 |

(b) Counties of Boone, Kenton, Campbell, Pendleton, Bracken, Mason, Lewis, Greenup, and Boyd. Maximum prices of the products listed below in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District One or the State of Michigan shall be as follows:

| Products | Cents per gallon |
|-------------------------------------------------------------------------------|------------------|
| Kerosene and Distillate fuel oils: | |
| 41 API gravity and above W. W. kerosene | 6.125 |
| No. 1 prime white distillate (fuel oil) range or stove oil and No. 1 fuel oil | 5.625 |
| No. 2 fuel oil | 5.50 |
| No. 3 fuel oil | 5.50 |

*For Boyd County add .125.

SEC. 2.16 Louisiana—(a) Louisiana Gulf Coast Ports¹ and New Orleans Area^{2,3} shipping points—(1) Maximum prices in bulk lots f. o. b. refineries and tanker terminals.

| Products | Cents per gallon |
|--------------------------------------------------|------------------|
| Kerosene and Distillate fuel oils: | |
| Kerosene, water white (41 API gravity and above) | 4.125 |
| Range or stove oil | 3.875 |
| No. 1 fuel oil | 3.875 |
| No. 2 fuel oil | 3.75 |
| No. 3 fuel oil | 3.75 |

| Products | Cents per gallon |
|----------------------------|------------------|
| Diesel fuels (distillate): | |
| Diesel index 58 and above | 4.25 |
| Diesel index 53-57 | 4.125 |
| Diesel index 52 and below | 4.00 |

(2) Diesel oil—ship's bunkers. Maximum prices for residual and distillate diesel oil, ship's bunkers (ex lighterage) shall be:

| Dollars per bbl. |
|---------------------------------------|
| Residual, below 28° API gravity |
| Distillate, 28° API gravity and above |

(b) Shreveport area. In the Shreveport area, comprising the parishes of Caddo, Bossier, Webster, DeSoto and Red River, maximum prices of the products listed below f. o. b. refineries⁴ and loaded into tank cars, motor transports and pipe lines⁵ for shipment to the destinations indicated below⁶ shall be as follows:

| Products | For shipment to ultimate destinations | | |
|----------------------------------------------------|---------------------------------------|--------------|----------|
| | Column 1 | Column 2 | Column 3 |
| Ariz., Ark., Colo., La., N. Mex., Okla., and Texas | PAW District 1 | Other States | |
| | | | |
| Distillate fuel oils and gas oils: | | | |
| 42-44 Grav. W. W. kerosene | 4.50 | 4.125 | 4.375 |
| 41-43 Grav. W. W. kerosene | 4.375 | 4.125 | 4.25 |
| Range or stove oil | 4.00 | 3.875 | 3.875 |
| No. 1 P. W. distillate (fuel oil) | 3.875 | 3.875 | 3.75 |
| No. 1 straw fuel oil | 3.75 | 3.75 | 3.625 |
| No. 2 fuel oil | 3.625 | 3.625 | 3.50 |
| No. 3 fuel oil | 3.50 | 3.50 | 3.375 |
| Gas oil, zero cold test (32-36 Gr.) | 3.375 | 3.375 | 3.25 |
| Gas oil, ordinary | 3.00 | 3.00 | 2.875 |
| Diesel fuels (distillate): ¹ | | | |
| 58 Diesel index and above | 4.25 | 4.25 | 4.125 |
| 53-57 Diesel index | 4.125 | 4.125 | 4.00 |
| 52 Diesel index and below | 4.00 | 4.00 | 3.875 |

*These prices apply only to fuels sold for use in diesel engines.

SEC. 2.17 Maine—(a) State of Maine. The maximum tank wagon prices of Nos. 2 and 3 fuel oil⁷ to consumers in the following townships and cities in the State of Maine shall be as follows:

¹ When loaded into pipe line (see note 5), tank car, motor transport or tank wagon for shipment to ultimate destinations other than in Petroleum Administration for War District One, seller may charge prices in this Table or his maximum prices under other sections of this Regulation, whichever may be higher.

² When loaded into barge, pipe line (see note 5), tank car, motor transport or tank wagon for shipment to ultimate destinations other than in PAW District One, seller may charge prices in this Table or his maximum prices under other sections of this Regulation whichever may be higher.

³ New Orleans Area means Mississippi River ports up to and including Baton Rouge.

⁴ If range or stove oil or No. 1 fuel oil conform to all of a particular seller's specifications for water white kerosene of 41 API gravity and above the maximum price for such products shall be 4.125¢ per gallon for such seller.

⁵ Products loaded into pipelines for ultimate delivery to War Emergency Pipelines and pipelines with Petroleum Administration for War District One termini shall be considered destined for Petroleum Administration for War District One.

⁶ These prices apply only to fuels sold for use in diesel engines.

(1) For single lot deliveries of 100 gallons or more:

| City or town | Cents per gallon |
|--------------|------------------|
| Abbott | 10.0 |
| Academy West | 10.5 |
| Acton | 9.3 |
| Adamstown | 11.2 |
| Addison | 10.1 |
| Albany | 9.7 |
| Albion | 9.9 |
| Alexander | 10.2 |
| Alfred | 9.0 |
| Allagash Pl. | 11.5 |
| Alna | 9.4 |
| Alton | 9.1 |
| Amherst | 9.1 |
| Amity | 10.8 |
| Andover | 10.0 |
| Anson | 10.1 |
| Appleton | 9.1 |
| Argyle | 9.1 |

⁷ Column 2 prices apply to all shipping points within the Shreveport area for shipments to ultimate destinations in Petroleum Administration for War District 1.

⁸ Products loaded into pipelines for ultimate delivery to War Emergency Pipelines and pipelines with PAW District 1 termini shall be considered destined for PAW District 1.

⁹ Column 1 prices also apply to ultimate destinations in the States of Alabama, Mississippi, Tennessee, and the Counties of Cape Girardeau, Dunklin, Wayne, Pemiscot, Scott, New Madrid, Butler, Bollinger, Stoddard and Mississippi in the State of Missouri.

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| City or town—Continued. | Cents per gallon | City or town—Continued. | Cents per gallon | City or town—Continued. | Cents per gallon |
|-------------------------|------------------|-------------------------|------------------|-------------------------|------------------|
| Arrowsic | 9.4 | Cheesea | 9.2 | Frenchville | 11.5 |
| Ashland | 11.5 | Cherryfield | 10.1 | Friendship | 9.1 |
| Askwith | 10.5 | Chester | 10.1 | Fryeburg | 9.7 |
| Athens | 10.1 | Chesterville | 10.1 | Gardiner | 9.2 |
| Atkinson | 10.0 | China | 9.2 | Garfield Pl. | 11.5 |
| Attean | 11.1 | Clifton | 9.1 | Garland | 9.1 |
| Auburn | 9.1 | Clinton | 9.9 | Georgetown | 9.4 |
| Augusta | 9.2 | Codyville | 10.8 | Gilead | 10.0 |
| Aurora | 9.1 | Columbia | 10.1 | Glenburn | 9.1 |
| Avon | 10.1 | Columbia Falls | 10.1 | Glenwood Pl. | 10.8 |
| Baileyville | 10.2 | Concord Pl. | 10.3 | Gorham | 9.0 |
| Bald Mountain | 10.3 | Connor | 11.1 | Gouldsborough | 10.1 |
| Baldwin | 9.7 | Cooper | 10.2 | Grafton | 10.0 |
| Bancroft | 10.8 | Coplin Pl. | 11.1 | Grand Isle | 11.5 |
| Bangor | 9.1 | Corinna | 9.8 | Grand Lake Stream Pl. | 10.2 |
| Ear Harbor | 9.7 | Corinth | 9.1 | Gray | 9.0 |
| Baring | 10.2 | Cornish | 9.7 | Greenbush | 9.1 |
| Barnard Pl. | 10.0 | Cornville | 10.1 | Greene | 9.1 |
| Batchelders Grant | 9.7 | Cox Patent | 11.1 | Greenfield | 9.1 |
| Bath | 9.4 | Cranberry Isles | 9.7 | Greenville | 10.5 |
| Beals | 10.1 | Crawford | 10.2 | Greenwood | 9.7 |
| Beddington | 10.1 | Crockertown | 10.3 | Grindstone | 10.5 |
| Belfast | 9.6 | Crystal | 10.8 | Guildford | 10.0 |
| Belgrade | 9.2 | Cumberland | 9.0 | Hallowell | 9.2 |
| Belmont | 9.6 | Cushing | 9.1 | Hamlin Pl. | 11.5 |
| Benedicta | 10.8 | Cutler | 10.2 | Hammond Pl. | 10.8 |
| Benton | 9.9 | Oyr Pl. | 11.5 | Hampden | 9.1 |
| Berwick | 9.2 | Dallas Pl. | 11.1 | Hancock | 9.7 |
| Bethel | 10.0 | Damariscotta | 9.4 | Hanover | 10.0 |
| Biddeford | 9.0 | Danforth | 10.8 | Harmony | 9.8 |
| Bigelow Pl. | 10.3 | Davidson | 10.8 | Harpwell | 9.4 |
| Big Squaw | 10.5 | Davis | 11.1 | Harrington | 10.1 |
| Bingham | 10.3 | Dayton | 9.0 | Harrison | 9.7 |
| Blaine | 11.1 | Dead River Pl. | 10.3 | Hartford | 9.7 |
| Blanchard | 10.0 | Dablos | 10.1 | Hartland | 9.8 |
| Blue Hill | 9.7 | Dedham | 9.1 | Haynesville | 10.8 |
| Boothbay | 9.4 | Deer Isle | 10.7 | Hebron | 9.7 |
| Boothbay Harbor | 9.4 | Denmark | 9.7 | Hermon | 9.1 |
| Bowdoin | 9.4 | Dennistown Pl. | 11.1 | Hersey | 10.8 |
| Bowdoinham | 9.4 | Dennysville | 10.2 | Hibberts Gore | 9.1 |
| Bowerbank | 10.0 | Detroit | 9.8 | Highland Pl. | 10.3 |
| Bowmantown | 11.2 | Devereaux | 10.1 | Hiram | 9.7 |
| Bowtown | 10.3 | Dexter | 9.8 | Hodgdon | 10.8 |
| Bradford | 9.1 | Dixfield | 10.0 | Holden | 9.1 |
| Bradley | 9.1 | Dixmont | 9.1 | Hollis | 9.0 |
| Bremen | 9.1 | Dover-Foxcroft | 10.0 | Hope | 9.1 |
| Brewer | 9.1 | Dresden | 9.2 | Hopkins Academy Grant | 10.5 |
| Bridgewater | 11.1 | Drew | 10.8 | Houlton | 10.8 |
| Bridgton | 9.7 | Dudley | 10.8 | Howland | 10.1 |
| Brighton Pl. | 10.1 | Durham | 9.1 | Hudson | 9.1 |
| Bristol | 9.4 | Dyer Brook | 10.8 | Indian | 10.2 |
| Brooklin | 9.7 | Eagle Lake | 11.5 | Indian Purchase | 10.5 |
| Brooks | 9.6 | Eastbrook | 9.7 | Indian Stream | 10.3 |
| Brooksville | 9.7 | East Machias | 10.2 | Industry | 10.1 |
| Brookton | 10.8 | East Millinocket | 10.5 | Island Falls | 10.8 |
| Brownfield | 9.7 | East Moxie | 10.3 | Islesford | 9.7 |
| Brownville | 10.0 | East Wilton | 10.1 | Jackman Pl. | 11.1 |
| Brunswick | 9.4 | Easton | 11.1 | Jackson | 9.1 |
| Buckfield | 9.7 | Eastport | 10.2 | Jay | 10.1 |
| Bucksport | 9.1 | Eddington | 9.1 | Jefferson | 9.2 |
| Burlington | 10.1 | Edgecomb | 9.4 | Jerusalem | 10.3 |
| Burnham | 9.9 | Edinburg | 10.1 | Jonesboro | 10.1 |
| Buxton | 9.0 | Edmunds | 10.2 | Jonesport | 10.1 |
| Byron | 10.0 | Eliot | 9.2 | Kenduskeag | 9.1 |
| Calais | 10.2 | Elliottsville Pl. | 10.0 | Kennebunk | 9.0 |
| Cambridge | 9.8 | Ellsworth | 9.7 | Kennebunkport | 9.0 |
| Camden | 9.1 | Embden | 10.3 | Kingfield | 10.3 |
| Canaan | 10.1 | Enfield | 10.1 | Kingman | 10.1 |
| Canton | 10.1 | Etna | 9.1 | Kingsbury Pl. | 10.1 |
| Cape Elizabeth | 9.0 | Eustis | 11.1 | Kittery | 9.2 |
| Caratunk Pl. | 10.3 | Exeter | 9.1 | Knox | 9.6 |
| Caribou | 11.1 | Fairfield | 9.9 | Kossuth | 10.8 |
| Carmel | 9.1 | Falmouth | 9.0 | Lagrange | 9.1 |
| Carroll | 10.1 | Farmingdale | 9.2 | Lake View Pl. | 10.0 |
| Carrying Pl. | 10.3 | Farmington | 10.1 | Lakeville Pl. | 10.1 |
| Carthage | 10.0 | Fayette | 9.2 | Lambert Lake | 10.8 |
| Cary Pl. | 10.8 | Flagstaff Pl. | 11.1 | Lomoine | 9.7 |
| Casco | 9.0 | Forest | 10.8 | Lang | 11.1 |
| Castine | 9.1 | Forkstown | 10.8 | Lebanon | 9.3 |
| Castle Hill | 11.5 | Fort Fairfield | 11.1 | Lee | 10.1 |
| Caswell Pl. | 11.1 | Fort Kent | 11.5 | Leeds | 9.1 |
| Centerville | 10.1 | Frankfort | 9.1 | Levant | 9.1 |
| Chapman | 11.1 | Franklin | 9.7 | Lewiston | 9.1 |
| Charleston | 9.1 | Freedom | 9.9 | Lexington Pl. | 10.3 |
| Charlotte | 10.2 | Freeman | 10.1 | Liberty | 9.1 |
| Chase | 11.1 | Freeport | 9.0 | Lily Bay | 10.5 |

| City or town—Continued. | Cents per gallon | City or town—Continued. | Cents per gallon | City or town—Continued. | Cents per gallon |
|-------------------------|------------------|-----------------------------------|------------------|----------------------------|------------------|
| Limerick | 9.7 | Norridgewock | 10.1 | Sandy River Pl. | 11.1 |
| Limestone | 11.1 | North Andover | 10.0 | Sanford | 9.3 |
| Limington | 9.7 | North Berwick | 9.2 | Sangerville | 10.0 |
| Lincoln | 10.1 | North Haven | 11.0 | Sapling Township | 10.5 |
| Lincoln Pl. | 11.2 | North Kennebunkport | 9.0 | Scarboro | 9.0 |
| Lincolnville | 9.1 | North Yarmouth (Aroostock County) | 10.8 | Searsmont | 9.6 |
| Linneus | 10.8 | North Yarmouth | 9.0 | Searsport | 9.6 |
| Lisbon | 9.1 | Northfield | 10.2 | Sebago | 9.7 |
| Litchfield | 9.2 | Northport | 9.6 | Sebec | 10.0 |
| Little Squaw | 10.5 | Norway | 9.7 | Sedgwick | 9.7 |
| Littleton | 10.8 | Oakfield | 10.8 | Shapleigh | 9.3 |
| Livermore | 10.1 | Oakland | 9.9 | Sherman | 10.8 |
| Livermore Falls | 10.1 | Old Orchard | 9.0 | Shirley | 10.5 |
| Long Island | 9.0 | Old Town | 9.1 | Sidney | 9.2 |
| Long Island Pl. | 9.7 | Orient | 10.8 | Silver Ridge Pl. | 10.8 |
| Long Pond | 11.1 | Orland | 9.1 | Skowhegan | 10.1 |
| Lovell | 9.7 | Orneville | 10.0 | Smithfield | 9.9 |
| Lowell | 10.1 | Orono | 9.1 | Smyrna | 10.8 |
| Lower Cupusptic | 11.2 | Orrington | 9.1 | Solon | 10.3 |
| Lubec | 10.2 | Osborn Pl. | 9.7 | Somerville Pl. | 9.2 |
| Ludlow | 10.8 | Otis | 9.7 | Sorrento | 9.7 |
| Lyman | 9.0 | Otisfield | 9.7 | South Berwick | 9.2 |
| Lynchtown | 11.2 | Owl's Head | 9.1 | South Bristol | 9.4 |
| Machias | 10.2 | Oxbow Pl. | 11.5 | Southport | 9.4 |
| Machiasport | 10.2 | Oxbow | 11.2 | South Portland | 9.0 |
| Macwahoc Pl. | 10.1 | Oxford | 9.7 | South Thomaston | 9.1 |
| Madawaska | 11.5 | Palermo | 9.2 | Southwest Harbor | 9.7 |
| Madison | 10.1 | Palmyra | 9.8 | Springfield | 10.1 |
| Madrid | 10.1 | Paris | 9.7 | Squaretown | 10.3 |
| Magalloway Pl. | 11.2 | Parkertown | 11.2 | Stacyville Pl. | 10.8 |
| Manchester | 9.2 | Parkman | 10.0 | Standish | 9.0 |
| Mapleton | 11.1 | Parlin Pond | 11.1 | Starks | 10.3 |
| Mariaville | 9.7 | Parmachenee | 11.2 | Stetson (Penobscot County) | 9.1 |
| Marion | 10.2 | Parsonsfield | 9.7 | Stetson (Rangeley County) | 11.1 |
| Mars Hill | 11.1 | Passadumkeag | 10.1 | Steuben | 10.1 |
| Marshfield | 10.2 | Patten | 10.8 | Stockholm | 11.1 |
| Masardis | 11.5 | Pembroke | 10.2 | Stockton Springs | 9.6 |
| Mason Pl. | 9.7 | Penobscot | 9.1 | Stoneham | 9.7 |
| Mattawamkeag | 10.1 | Perham | 11.1 | Stonington | 10.7 |
| Mayfield Plantation | 10.1 | Perkins | 10.0 | Stow | 9.7 |
| Mechanic Falls | 9.1 | Perry | 10.2 | Strong | 10.1 |
| Meddybemps | 10.2 | Peru | 10.0 | Sullivan | 9.7 |
| Medford | 10.0 | Phillips | 10.1 | Sumner | 9.7 |
| Medway | 10.5 | Phippsburg | 9.4 | Surry | 9.7 |
| Mercer | 10.1 | Pittsfield | 9.8 | Swansville | 9.6 |
| Merrill | 10.8 | Pittson | 9.2 | Swan's Island | 9.7 |
| Mexico | 10.0 | Pleasant Ridge Pl. | 10.3 | Sweden | 9.7 |
| Milbridge | 10.1 | Plymouth | 9.8 | Talmage | 10.2 |
| Milford | 9.1 | Poland | 9.1 | Temple | 10.1 |
| Millinocket | 10.5 | Portage Lake | 11.5 | The Forks Pl. | 10.3 |
| Milo | 10.0 | Porter | 9.7 | Thomaston | 9.1 |
| Milton | 10.1 | Portland | 9.0 | Thorndike | 9.9 |
| Milton Pl. | 10.0 | Pownal | 9.0 | Tim Pond | 11.1 |
| Minot | 9.1 | Prentiss | 10.1 | Topsfield | 10.8 |
| Misery | 11.1 | Presque Isle | 11.1 | Tremont | 9.7 |
| Misery Gore | 10.5 | Princeton | 10.2 | Trenton | 9.7 |
| Molunkus | 10.1 | Prospect | 9.1 | Trescott | 10.2 |
| Monmouth | 9.2 | Randolph | 9.2 | Troy | 9.9 |
| Monroe | 9.1 | Rangeley | 11.1 | Turner | 9.1 |
| Monson | 10.0 | Rangeley Pl. | 11.1 | Union | 9.1 |
| Monticello | 10.8 | Raymond | 9.0 | Unity | 9.9 |
| Montville | 9.6 | Readfield | 9.2 | Unity Pl. | 9.9 |
| Moose River Pl. | 11.1 | Redington | 10.1 | Upper Cupusptic | 11.2 |
| Moro Pl. | 10.8 | Reed Pl. | 10.8 | Upper Molunkus | 10.8 |
| Morrill | 9.6 | Richardsontown | 11.2 | Upton | 11.2 |
| Moscow | 10.3 | Richmond | 9.2 | Van Buren | 11.5 |
| Mount Abram | 10.3 | Riley | 10.0 | Vanceboro | 10.8 |
| Mount Chase Pl. | 10.8 | Ripley | 9.8 | Vassalborough | 9.2 |
| Mount Desert | 9.7 | Robbinston | 10.2 | Veazie | 9.1 |
| Mount Vernon | 9.2 | Rockland | 9.1 | Verona | 9.1 |
| Moxie Gore | 10.3 | Rockport | 9.1 | Vienna | 9.2 |
| Naples | 9.7 | Rockwood Strip | 10.5 | Vinalhaven | 11.0 |
| Nashville Pl. | 11.5 | Rogue Bluffs | 10.2 | Wade | 11.1 |
| New Canada Pl. | 11.5 | Rome | 9.9 | Waite | 10.2 |
| New Gloucester | 9.1 | Roxbury | 10.0 | Waldo | 9.6 |
| New Limerick | 10.8 | Rumford | 10.0 | Waldoboro | 9.1 |
| New Portland | 10.3 | Saco | 9.0 | Wales | 9.1 |
| New Sharon | 10.1 | Saint Agatha | 11.5 | Wallaglass Pl. | 11.5 |
| New Sweden | 11.1 | Saint Albans | 9.8 | Waltham | 9.7 |
| New Vineyard | 10.1 | Saint Croix | 10.8 | Warren | 9.1 |
| Newburgh | 9.1 | Saint Francis Pl. | 11.5 | Washburn | 11.1 |
| Newcastle | 9.4 | Saint George | 9.1 | Washington | 9.1 |
| Newfield | 9.7 | Saint John Pl. | 11.5 | Waterboro | 9.0 |
| Newport | 9.8 | Salem | 10.1 | Waterford | 9.7 |
| Newry | 10.0 | Sandwich Acad. Grant | 11.1 | Waterville | 9.9 |
| Nobleborough | 9.4 | Sandy Bay | 11.1 | | |

| City or town—Continued. | Cents per gallon |
|-------------------------|------------------|
| Wayne | 9.2 |
| Webbertown | 10.8 |
| Webster | 9.1 |
| Webster Pl | 10.1 |
| Weld | 10.0 |
| Wellington | 9.8 |
| Wells | 9.2 |
| Wesley | 10.2 |
| West Bath | 9.4 |
| Westbrook | 9.0 |
| Westfield | 11.1 |
| West Andover | 10.0 |
| West Forks Pl | 11.1 |
| West Gardiner | 9.2 |
| Westman Land Pl | 11.1 |
| Weston | 10.8 |
| Westport | 9.4 |
| Whitefield | 9.2 |
| Whiting | 10.2 |
| Whitneyville | 10.2 |
| Williamsburg | 10.0 |
| Willimantic | 10.0 |
| Windham | 9.0 |
| Windsor | 9.2 |
| Winn | 10.1 |
| Winslow | 9.9 |
| Winter Harbor | 10.1 |
| Winterport | 9.1 |
| Winterville Pl | 11.5 |
| Winthrop | 9.2 |
| Wiscasset | 9.4 |
| Woodland | 11.1 |
| Woodstock | 9.7 |
| Woolwich | 9.4 |
| Yarmouth | 9.0 |
| York | 9.2 |
| TAR2 | 10.8 |
| TAR7 | 10.5 |
| TAR8 | 10.5 |
| TAR9 | 10.5 |
| TC | 10.0 |
| TCR2 | 10.8 |
| TD | 10.0 |
| TDR2 | 11.1 |
| TE | 10.0 |
| TIR3 | 10.3 |
| TIR5 | 10.8 |
| TIR6 | 11.1 |
| TIR13 | 10.5 |
| T2R4 | 10.8 |
| T2R6 | 11.1 |
| T3R1 | 10.1 |
| T3R3 | 10.8 |
| T3R7 | 10.8 |
| T4R1 | 11.1 |
| T4R2 | 11.1 |
| T5R7 | 10.8 |
| T5R9 | 10.0 |
| T6 | 10.0 |
| T6R7 | 10.8 |
| T6R9 | 10.0 |
| T7R5 | 10.8 |
| T7SD | 10.1 |
| T8R3 | 10.8 |
| T8R4 | 10.8 |
| T8R5 | 10.8 |
| T8SD | 9.7 |
| T9R4 | 11.5 |
| T9R5 | 11.5 |
| T9SD | 10.1 |
| T10R3 | 10.8 |
| T10R4 | 11.5 |
| T10R6 | 11.5 |
| T10SD | 10.1 |
| T11R3 | 10.8 |
| T11R4 | 11.5 |
| T13R5 | 11.5 |
| T15R6 | 11.5 |
| T16MD | 10.1 |
| T16R4 | 11.1 |
| T16R6 | 11.5 |
| T18ED | 10.2 |
| T18MD | 10.1 |
| T19ED | 10.2 |
| T19MD | 10.1 |
| T22MD | 10.1 |

| City or town—Continued. | Cents per gallon | Cents per gallon |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------|
| T24MD | 10.1 | |
| T25MD | 10.1 | |
| Plantation 21 | 10.2 | |
| Plantation 14 | 10.2 | |
| E Plantation | 11.1 | |
| (2) For single lot deliveries of less than 100 gallons, the maximum price at each point listed in subparagraph (1) above shall be increased by 0.5 of a cent per gallon. | | |
| SEC. 2.18 Maryland—(a) Baltimore. Within the corporate limits of the City of Baltimore maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows: | | |
| | Cents per gallon | |
| F. o. b. terminals in bulk lots loaded into tank cars or motor transports | 7.2 | |
| Loaded into buyer's tank wagons | 7.45 | |
| Tank wagon deliveries to resellers | 9.8 | |
| Tank wagon deliveries to consumers in quantities of 25 gallons or over | 10.3 | |
| Tank wagon deliveries to consumers in quantities of less than 25 gallons | 11.3 | |
| SEC. 2.19 Massachusetts—(a) Metropolitan Boston area. In the Metropolitan Boston, Massachusetts area, comprising the following towns and cities: Arlington, Belmont, Boston, Braintree, Brookline, Cambridge, Canton, Chelsea, Cohasset, Dedham, Dover, Everett, Hingham, Hull, Lexington, Lynn, Malden, Medford, Melrose, Milton, Nahant, Needham, Newton, Quincy, Reading (but not North Reading), Revere, Saugus, Somerville, Stoneham, Swampscott, Wakefield, Waltham, Watertown, Wellesley, Weston, Westwood, Weymouth, Winchester, Winthrop, and Woburn, maximum prices shall be as follows: | | |
| (1) For Kerosene, No. 1 fuel oil and Range Oil: | | |
| | Cents per gallon | |
| F. o. b. terminals in bulk lots loaded into barges | 6.95 | |
| F. o. b. terminals in bulk lots loaded into tank cars or motor transports | 7.2 | |
| F. o. b. barge and inland terminals, except Shell Oil Company's pipeline terminal in Waltham, Massachusetts, loaded into tank car or motor transport | 7.3 | |
| F. o. b. Shell's pipeline terminal at Waltham, Massachusetts, except for sales to jobbers whose bulk plants are located in the following cities and towns: Brookline, Watertown, Waltham, Newton, Wellesley, Weston, Lincoln, Natick, Wayland, Maynard, Sudbury, Framingham, Ashland, Sherborn, Hopkinton and Holliston loaded into tank car or motor transport | 7.2 | |
| F. o. b. Shell's Pipeline terminal at Waltham, Massachusetts, for sales to jobbers whose bulk plants are located in the following cities and towns: Brookline, Watertown, Waltham, Newton, Wellesley, Weston, Lincoln, Natick, Wayland, Maynard, Sudbury, Framingham, Ashland, Sherborn, Hopkinton and Holliston loaded into tank car or motor transport | 7.4 | |
| Loaded into buyer's tank wagons | 7.8 | |
| Loaded into containers, in quantities of 10 gallons or less | 10.3 | |
| Tank wagon deliveries to resellers in quantities of 25 gallons or over | 10.1 | |
| Products: | | Cents per gallon |
| Kerosene and Distillate fuel oils: | | |
| 46-49 API gravity w. w. kerosene | 6.0 | |
| 41-45 API gravity w. w. kerosene | 5.75 | |
| No. 1 prime white distillate (fuel oil) | 5.50 | |
| No. 2 fuel oil | 5.25 | |
| No. 3 fuel oil | 5.00 | |
| Range or stove oil | (*) | |

*Range or stove oil shall take the maximum price of the product listed above of the same specifications.

(b) *Wayne County*—(1) *On shipments to Petroleum Administration for War District 1.* In Wayne County in the State of Michigan the maximum prices of the products listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District 1 shall be as follows:

| Products: | Cents per gallon |
|-----------------------------------------|------------------|
| Kerosene and Distillate fuel oil: | |
| 46-49 API gravity w. w. kerosene | 6.25 |
| 41-45 API gravity w. w. kerosene | 6.00 |
| No. 1 prime white distillate (fuel oil) | 5.75 |

[All prices in cents per gallon]

| Products—Continued. | Cents per gallon |
|--------------------------------------------|------------------|
| Kerosene and Distillate fuel oil—Continued | |
| No. 2 Fuel Oil | 5.50 |
| No. 3 Fuel Oil | 5.25 |
| Range or stove oil | (*) |

*Range or stove oil shall take the maximum price of the product listed above of the same specifications.

(2) *Maximum prices to peddlers and on tank wagon deliveries.* Maximum prices in Wayne County in the State of Michigan for the petroleum products listed below shall be as follows:

| Products: | Cents per gallon |
|-----------------------------------------------------------------------------|------------------|
| Kerosene | |
| Range oil, stove oil, heater oil, prime white distillate and No. 1 fuel oil | |
| No. 2 fuel oil | |
| No. 3 fuel oil | |

(c) *Monroe County*—(1) *On shipments to Petroleum Administration for War District 1.* In Monroe County in the State of Michigan the maximum prices of the products listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District 1 shall be as follows:

| Products: | Cents per gallon |
|-----------------------------------------|------------------|
| Kerosene and Distillate fuel oils: | |
| 46-49 API gravity w. w. kerosene | 6.25 |
| 41-45 API gravity w. w. kerosene | 6.00 |
| No. 1 prime white distillate (fuel oil) | 5.75 |
| No. 2 fuel oil | 5.50 |
| No. 3 fuel oil | 5.25 |
| Range or stove oil | (*) |

*Range or stove oil shall take the maximum price of the product listed above of the same specifications.

(2) *Maximum tank wagon prices.* Maximum tank wagon prices in Monroe County in the State of Michigan for the petroleum products listed below shall be as follows:

| Products: | Cents per gallon |
|---------------------------------------------------|------------------|
| Kerosene | 10 |
| Range oil, also known as stove oil or heater oil: | |
| In quantities of 25 gallons or over | 8.2 |
| In quantities of less than 25 gallons | 9.2 |
| Prime white distillate and Nos. 1 and 2 fuel oil: | |
| In quantities of 100 gallons or over | 7.7 |
| In quantities of less than 100 gallons | 8.7 |
| No. 3 fuel oil: | |
| In quantities of 100 gallons or over | 7.2 |
| In quantities of less than 100 gallons | 8.2 |

[All prices in cents per gallon]

| Loaded into peddler's tank wagon in any quantity | For tank wagon deliveries to consumers | | |
|--------------------------------------------------|----------------------------------------|--------------------------------------|----------------------------------------|
| | In any quantity | In quantities of 100 gallons or over | In quantities of less than 100 gallons |
| | 10 | 8.2 | 9.2 |

| Kerosene | |
|-----------------------------------------------------------------------------|-----|
| Range oil, stove oil, heater oil, prime white distillate and No. 1 fuel oil | 6.8 |
| No. 2 fuel oil | 6.4 |
| No. 3 fuel oil | 5.9 |

SEC. 2.21 *Minnesota*—(a) *Minneapolis tank wagon area.* Maximum tank wagon prices for No. 2 fuel oil shall be 9.1¢ per gallon for single lot deliveries of less than 100 gallons and 8.1¢ per gallon for deliveries of 100 gallons and over.

(b) *Minneapolis-St. Paul area.* Maximum prices for No. 2 fuel oil f. o. b. refineries or terminals shall be 6.2¢ per gallon.

(c) *Minneapolis and St. Paul; range oil.* The maximum tank-wagon prices for range oil, stove oil or heater oil for the bulk plant points of Minneapolis and St. Paul, Minnesota, and the circuit points and rural territories served from such plant or plants shall be as follows:

| | Cents per gallon |
|-------------------------------------------------------------------|------------------|
| In quantities of less than 100 gallons | 9.8 |
| In quantities of as much as 100 gallons but less than 200 gallons | 8.8 |
| In quantities of 200 gallons or over | 8.3 |

SEC. 2.22 *Mississippi*—(a) *Alcorn County; liquefied petroleum gas.* The maximum retail price for liquefied petroleum gas sold in the County of Alcorn, Mississippi for heating and cooking purposes shall be 12¢ per gallon.

SEC. 2.23 *Missouri*—(a) *St. Louis; range oil.* The maximum tank wagon prices for range oil, stove oil or heater oil for the bulk plant points of St. Louis, Missouri and the circuit points and rural territories served from such plant or plants shall be as follows:

| | Cents per gallon |
|------------------------------------------------------------------|------------------|
| In quantities of less than 25 gallons | 8.9 |
| In quantities of as much as 25 gallons but less than 100 gallons | 8.3 |
| In quantities of 100 gallons or over | 7.9 |

(b) *St. Louis area.* Within the City of St. Louis, Missouri and that part of the State of Missouri which is within a radius of 25 miles of St. Louis, Missouri, the maximum prices of the products listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

| Products: | Cents per gallon |
|------------------------------------|------------------|
| Kerosene and Distillate Fuel Oils: | |
| 42-44 gravity w. w. kerosene | 5.875 |
| 41-43 gravity w. w. kerosene | 5.75 |
| Range or Stove oil | 5.375 |
| No. 1 P. W. distillate (fuel oil) | 5.25 |
| No. 1 straw fuel oil | 5.125 |
| No. 2 fuel oil | 5.00 |
| No. 3 fuel oil | 4.875 |

SEC. 2.24 *Montana.*

SEC. 2.25 *Nebraska.*

SEC. 2.26 *Nevada.*

SEC. 2.27 *New Hampshire*—(a) *State of New Hampshire.* The maximum tank wagon prices of Nos. 2 and 3 fuel oil to consumers in the following townships and cities in the State of New Hampshire shall be as follows:

| (1) For single lot deliveries of 100 gallons or more: | Cents per gallon |
|-------------------------------------------------------|------------------|
| Acworth | 10.2 |
| Albany | 10.4 |
| Alexandria | 10.7 |
| Allenstown | 10.0 |
| Alstead | 10.2 |

| | Cents per gallon | | Cents per gallon | | Cents per gallon |
|---------------|---------------------|-----------------|---------------------|----------------|---------------------|
| Alton | 10.1 | Hampton | 9.4 | Plaistow | 9.4 |
| Amherst | 9.4 | Hampton Falls | 9.4 | Plymouth | 10.7 |
| Andover | 10.0 | Hancock | 9.8 | Portsmouth | 9.2 |
| Antrim | 9.9 | Hanover | 10.1 | Randolph | 10.4 |
| Ashland | 10.7 | Harrisville | 9.8 | Raymond | 9.7 |
| Atkinson | 9.4 | Hart's Location | 10.4 | Richmond | 10.2 |
| Auburn | 9.7 | Haverhill | 10.2 | Ridge | 9.6 |
| Barnstead | 10.1 | Hebron | 10.2 | Rochester | 9.6 |
| Barrington | 9.3 | Henniker | 10.0 | Rollinsford | 9.3 |
| Bartlett | 10.4 | Hill | 10.0 | Roxbury | 10.2 |
| Bath | 10.2 | Hillsboro | 9.9 | Rumney | 10.7 |
| Bedford | 9.7 | Hinsdale | 10.2 | Rye | 9.2 |
| Belmont | 10.0 | Holderness | 10.7 | Salem | 9.4 |
| Bennington | 9.9 | Hollis | 9.4 | Salisbury | 10.0 |
| Benton | 10.7 | Hooksett | 9.7 | Sanbornton | 10.0 |
| Berlin | 10.4 | Hopkinton | 10.0 | Sandown | 9.4 |
| Bethlehem | 10.9 | Hudson | 9.4 | Sandwich | 10.7 |
| Boscawen | 10.0 | Jackson | 10.4 | Seabrook | 9.4 |
| Bow | 10.0 | Jaffrey | 9.8 | Sharon | 9.8 |
| Bradford | 10.0 | Jefferson | 11.0 | Sheburne | 10.4 |
| Brentwood | 9.2 | Keene | 10.2 | Somersworth | 9.3 |
| Bridgewater | 10.7 | Kensington | 9.4 | South Hampton | 9.4 |
| Bristol | 10.7 | Kilkenny | 10.4 | Springfield | 10.3 |
| Brookfield | 10.4 | Kingston | 9.4 | Stark | 11.0 |
| Brookline | 9.4 | Laconia | 10.2 | Stewartstown | 11.2 |
| Cambridge | 11.2 | Lancaster | 11.0 | Stoddard | 10.2 |
| Campton | 10.7 | Landaff | 10.7 | Strafford | 10.1 |
| Canaan | 10.1 | Langdon | 10.2 | Stratford | 11.2 |
| Candia | 9.7 | Lebanon | 10.1 | Stratham | 9.2 |
| Canterbury | 10.0 | Lee | 9.3 | Success | 10.4 |
| Carroll | 10.9 | Lempster | 10.3 | Sullivan | 10.2 |
| Center Harbor | 10.7 | Lincoln | 10.7 | Sunapee | 10.3 |
| Charlestown | 10.2 | Lisbon | 10.9 | Surry | 10.2 |
| Chatham | 10.4 | Litchfield | 9.7 | Sutton | 10.0 |
| Chester | 9.7 | Littleton | 10.9 | Swanzey | 10.2 |
| Chesterfield | 10.2 | Livermore | 10.7 | Tamworth | 10.4 |
| Chichester | 10.0 | Londonderry | 9.7 | Temple | 9.8 |
| Claremont | 10.3 | Loudon | 10.0 | Thornton | 10.7 |
| Clarksville | 11.2 | Lyman | 10.9 | Tilton | 10.0 |
| Colebrook | 11.2 | Lyme | 10.1 | Troy | 10.2 |
| Columbia | 11.2 | Lyndeboro | 9.4 | Tuftonboro | 10.4 |
| Concord | 10.0 | Madbury | 9.3 | Twin Mt. | 10.9 |
| Conway | 10.4 | Madison | 10.4 | Unity | 10.3 |
| Cornish | 10.3 | Manchester | 9.7 | Wakefield | 10.4 |
| Croydon | 10.3 | Marlboro | 10.2 | Walpole | 10.2 |
| Dalton | 11.0 | Marlow | 10.2 | Warner | 10.0 |
| Danbury | 10.0 | Mason | 9.4 | Warren | 10.7 |
| Danville | 9.4 | Meredith | 10.2 | Washington | 9.9 |
| Deerfield | 9.7 | Merrimack | 9.4 | Waterville | 10.7 |
| Derry | 9.4 | Middleton | 9.6 | Weare | 9.7 |
| Deering | 9.9 | Milan | 10.4 | Webster | 10.0 |
| Dixville | 11.2 | Milford | 9.4 | Wentworth | 10.7 |
| Dorchester | 10.7 | Millsfield | 11.2 | Wentworth Loc. | 11.2 |
| Dover | 9.3 | Milton | 9.6 | Westmoreland | 10.2 |
| Dublin | 9.8 | Monroe | 10.9 | Whitefield | 11.0 |
| Dummer | 10.4 | Mount Vernon | 9.4 | Wilmet | 10.0 |
| Dunbarton | 9.7 | Moultonboro | 10.7 | Wilton | 9.4 |
| Durham | 9.3 | Nashua | 9.4 | Winchester | 10.2 |
| East Kingston | 9.4 | Nelson | 10.2 | Windham | 9.7 |
| Easton | 10.7 | New Boston | 9.7 | Windsor | 9.9 |
| Eaton | 10.4 | Newcastle | 9.2 | Wolfboro | 10.4 |
| Effingham | 10.4 | New Durham | 9.6 | Woodstock | 10.7 |
| Elisworth | 10.7 | New Hampton | 10.7 | | |
| Enfield | 10.1 | New Ipswich | 9.4 | | |
| Epping | 9.2 | New London | 10.3 | | |
| Epsom | 10.0 | Newbury | 10.3 | | |
| Errol | 11.2 | Newfields | 9.2 | | |
| Exeter | 9.2 | Newington | 9.2 | | |
| Farmington | 9.6 | Newmarket | 9.2 | | |
| Fitzwilliam | 9.6 | Newport | 9.4 | | |
| Francetown | 9.9 | Newton | 9.4 | | |
| Franconia | 10.9 | North Hampton | 9.2 | | |
| Franklin | 10.0 | Northwood | 10.1 | | |
| Freedom | 10.4 | Northfield | 10.0 | | |
| Fremont | 9.4 | Northumberland | 11.0 | | |
| Gilford | 10.2 | Nottingham | 9.3 | | |
| Gilmerton | 10.1 | Odell | 11.2 | | |
| Gilsum | 10.2 | Orange | 10.1 | | |
| Goffstown | 9.7 | Orford | 10.2 | | |
| Gerham | 10.4 | Ossipee | 10.4 | | |
| Goshen | 10.3 | Pelham | 9.4 | | |
| Grafton | 10.1 | Pembroke | 10.0 | | |
| Grantham | 10.3 | Peterboro | 9.8 | | |
| Greenfield | 9.8 | Piermont | 10.2 | | |
| Greenland | 9.2 | Pinkham | 10.4 | | |
| Greenville | 9.4 | Pittsburgh | 11.2 | | |
| Groton | 10.7 | Pittsfield | 10.1 | | |
| Hampstead | 9.4 | Plainfield | 10.1 | | |

(2) For single lot deliveries of less than 100 gallons, the maximum price at each point listed in subparagraph (1) above shall be increased by .5 of a cent per gallon.

(b) *Conway, New Hampshire area.* In the Conway Area, comprising the following towns and cities in the State of New Hampshire: Albany, Bartlett, Chatham, Conway, Eaton, Hart's Location, Jackson, Madison, and Tamworth, maximum prices shall be as follows:

| Products: | Cents per gallon |
|------------------------------------------------------------------------|---------------------|
| For kerosene, No. 1 fuel oil and range oil: | |
| Loaded into buyers' tank wagons | 9.2 |
| Tank wagon deliveries to resellers in quantities of 25 gallons or over | 11.5 |
| Tank wagon deliveries to consumers | 11.5 |

SEC. 2.28 *New Jersey*—(a) *State of New Jersey*. In the State of New Jersey, at points designated below, maximum prices shall be as follows:

(1) For kerosene, No. 1 fuel oil, range or stove oil:

[All prices in cents per gallon]

| | Wholesale f. o. b. prices | | | Delivered prices | | |
|-------------------------------------------------------------------------|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|------------------------------------------------------|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| | F. o. b. terminals in bulk lots loaded into barges | F. o. b. refineries, seaboard tanker terminals and pipeline terminals in bulk lots loaded into tank cars and motor transports in single lots of 3,000 gallons or over | Loaded into buyer's tank wagon in single lots of less than 3,000 gallons | For tank wagon delivery to resellers in any quantity | For tank wagon delivery to consumers in quantities of 25 gallons or over | For tank wagon delivery to consumers in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons |
| For delivery within: | | | | | | |
| Union County | 7.0 | 7.1 | 7.6 | For delivery within: | | |
| Middlesex County | 7.0 | 7.1 | 7.6 | Union County | 10.0 | 10.5 |
| Excepting town of Dunellen | | | 7.7 | Middlesex County | 10.0 | 10.5 |
| Essex County | 7.0 | 7.1 | 7.8 | Essex County | 10.0 | 10.5 |
| Excepting storage facilities situated on Doremus Avenue, city of Newark | 7.0 | 7.1 | 7.6 | Hudson County | 10.0 | 10.5 |
| Hudson County | 7.0 | 7.1 | 7.8 | Bergen County | 10.0 | 10.5 |
| Excepting city of Bayonne | 7.0 | 7.1 | 7.6 | Passaic County | 10.0 | 10.5 |
| Bergen County | 7.0 | 7.1 | 7.9 | | | |
| Excepting: | | | | | | |
| Borough of Edgewater | 7.0 | 7.1 | 7.6 | | | |
| Borough of North Arlington and township of Lyndhurst | | | 7.8 | | | |
| Passaic County | | | 7.9 | | | |
| | | | | | | |

(2) For Nos. 2, 3 and 4 distillate fuel oil:

[All prices in cents per gallon]

| | Wholesale f. o. b. prices | | | Delivered prices | | |
|---------------------------------------------------------------------------------------|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------|-----|
| | F. o. b. terminals in bulk lots loaded into barges | F. o. b. refineries, seaboard tanker terminals, and pipe-line terminals, in bulk lots loaded into tank cars and motor transports, in single lots of 3,000 gallons or over | Loaded into buyer's tank wagon in single lots of less than 3,000 gallons | For tank wagon deliveries in quantities of 100 gallons or over | For tank wagon deliveries in quantities of less than 100 gallons | |
| For delivery within: | | | | | | |
| Union County | 6.6 | 6.7 | 7.0 | For delivery within: | | |
| Middlesex County | 6.6 | 6.7 | 7.0 | Entire State of New Jersey | 9.0 | 9.5 |
| Excepting town of Dunellen | | | 7.4 | | | |
| Essex County | 6.6 | 6.7 | 7.1 | | | |
| Excepting storage facilities situated on Doremus Avenue, city of Newark | 6.6 | 6.7 | 7.0 | | | |
| Hudson County | 6.6 | 6.7 | 7.2 | | | |
| Excepting city of Bayonne | 6.6 | 6.7 | 7.0 | | | |
| Bergen County | 6.6 | 6.7 | 7.2 | | | |
| Excepting: | | | | | | |
| Borough of Edgewater | 6.6 | 6.7 | 7.0 | | | |
| City of Garfield and borough of Wallington | | | 7.3 | | | |
| Boroughs of East Paterson, Paramus and Ramsey; township of Wyckoff and town of Mahwah | | | 7.5 | | | |
| Passaic County | | | 7.3 | | | |
| Excepting city of Paterson and borough of Hawthorne | | | 7.5 | | | |

(b) *Philadelphia, Pennsylvania area*. In the Metropolitan Philadelphia Area, comprising that section of the State of New Jersey which is within a radius of seventeen and one-half (17½) miles of the City Hall Building in the City of Philadelphia, Pennsylvania, maximum tank wagon prices of grades Nos. 5 and 6 fuel oil shall be as follows:

| Grades: | Cents per gallon |
|---------------------------------------------------------------------------------------------------------------------------------|------------------|
| Grade No. 5, excluding residual fuel oils and blends thereof with distillate fuel oils | 5.76 |
| Grade No. 6 and residual fuel oils and blends thereof with distillate fuel oils in accordance with the following gravity scale: | |
| A. P. I. gravity range: | |
| 12.9 and below | 4.76 |
| 13.0-15.9 | 5.05 |
| 16.0-19.9 | 5.35 |
| 20.0-24.9 | 5.62 |
| 25.0 and above | 5.76 |

SEC. 2.29 *New Mexico*—(a) *Roswell*. The maximum tank wagon price for kerosene shall be 7¢ per gallon.

SEC. 2.30 *New York*—(a) *Metropolitan New York City area*. In the New York City, New York, Metropolitan area, comprising the City of New York and the Counties of Westchester, Nassau and Suffolk, maximum prices shall be as follows:

(1) For kerosene, No. 1 fuel oil, range or stove oil:

[All prices in cents per gallon]

WHOLESALE F. O. B. PRICES

| | | F. o. b. terminals in bulk lots loaded into barge | F. o. b. terminals in bulk lots loaded into tank car | Loaded into buyer's tank wagon in any quantity |
|--------------------------------------------------------------------|--|---------------------------------------------------|------------------------------------------------------|------------------------------------------------|
| For delivery within: | | | | |
| New York City | | 7.0 | 7.2 | 7.5 |
| excepting: | | | | |
| Borough of Richmond | | 7.0 | 7.1 | 7.5 |
| Westchester County | | | | 7.6 |
| excepting: | | | | |
| Towns of Peekskill and Verplanck | | | | 7.7 |
| Towns of Chappaqua and Katonah | | | | 8.3 |
| Nassau County | | | | 7.7 |
| excepting: | | | | |
| Towns of Garden City and New Hyde Park | | | | |
| Towns of Merrick, Massapequa and West Hempstead | | | | 7. |
| Suffolk County | | | | 8.1 |
| excepting: | | | | 7.8 |
| Towns of Northport and Port Jefferson | | | | 7.9 |
| Towns of Amityville, Babylon, Bay Shore, Lindenhurst and Patchogue | | | | 8.0 |
| Towns of Greenport, Montauk, Riverhead, and Sag Harbor | | | | 8.1 |

[All prices in cents per gallon]

DELIVERED PRICES

| | For tank wagon deliveries to resellers in any quantity | For tank wagon deliveries to consumers in quantities of 25 gallons or over | For tank wagon deliveries to consumers in quantities of less than 25 gallons and truck deliveries in containers in quantities of less than 25 gallons | |
|---------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| For delivery within: | | | | |
| New York City | 9.8 | 10.3 | 12.8 | |
| Westchester County excepting: Townships of North Salem, Lewisboro, Somers, Yorktown, Bedford and Pound Ridge | 9.8 | 10.3 | 12.0 | |
| Nassau County | 10.3 | 10.8 | 12.5 | |
| Suffolk County excepting: Towns of Riverhead, Southampton, Southold, and East Hampton Township of Shelter Island | 10.0 10.6 | 10.5 10.6 | 12.0 12.0 | |
| | 10.7 11.2 | 10.7 11.2 | 12.0 12.5 | |

¹ Suffolk County, insofar as the delivered prices herein are concerned, excludes Fishers, Gardiners, Gull, Plum and Robbins Islands. Maximum prices for these excluded islands continue to be determined under other provisions of Maximum Price Regulation No. 88.

(2) For Nos. 2, 3, and 4 distillate fuel oil.

[All prices in cents per gallon]

WHOLESALE F. O. B. PRICES

| | F. o. b. terminals in bulk lots loaded into barge | F. o. b. terminals in bulk lots loaded into tank car | Loaded into buyer's tank wagon in any quantity | |
|---------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|------------------------------------------------------|------------------------------------------------|--|
| For delivery within: | | | | |
| New York City | 6.6 | 6.8 | 7.1 | |
| Westchester County excepting: Borough of Richmond | 6.6 | 6.7 | 7.1 7.2 | |
| Nassau County excepting: Town of Mamaroneck Towns of Chappaqua and Katonah | | | 7.3 7.8 7.3 | |
| Suffolk County excepting: Towns of Garden City and New Hyde Park Towns of Massapequa, Merrick and West Hempstead | | | 7.5 | |
| | | | 7.7 7.4 | |
| | | | 7.5 | |
| | | | 7.7 | |

DELIVERED PRICES

| | For tank wagon deliveries in quantities of 100 gallons or over | For tank wagon deliveries in quantities of less than 100 gallons | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------|--|
| For delivery within: | | | |
| New York City | 9.0 | 9.5 | |
| Westchester County | 9.0 | 9.5 | |
| Nassau County | 9.1 | 9.6 | |
| Suffolk County excepting: Township of Brookhaven Townships of Riverhead, Southampton, Southold, and East Hampton Township of Shelter Island | 9.2 9.3 9.4 9.9 | 9.7 9.8 9.9 10.4 | |

¹ Suffolk County, insofar as the delivered prices herein are concerned, excludes Fishers, Gardiners, Gull, Plum and Robbins Islands. Maximum prices for these excluded islands continue to be determined under other provisions of Maximum Price Regulation No. 88.

(b) *Schenectady area.* In the Schenectady Area comprising the County of Schenectady, New York and the adjoining towns of Ballston Lake, Burnt Hills, Charlton, Elnora, Galway, Rexford and W. Charlton in Saratoga County, New York, the maximum prices for No. 2 fuel oil shall be as follows:

| | Cents per gallon |
|---------------------------------------------------------------------------|------------------|
| Loaded into buyers' tank wagons | 7.2 |
| Tank wagon deliveries to consumers in quantities of 100 gallons and over | 9.1 |
| Tank wagon deliveries to consumers in quantities of less than 100 gallons | 9.6 |

(c) *Brewster, Patterson and Pawling.* In the towns of Brewster, Patterson, and Pawling, in the State of New York, maximum prices for kerosene, No. 1 fuel oil and range oil shall be as follows:

| | Cents per gallon |
|--------------------------------------------------------------------------|------------------|
| Loaded into buyers' tank wagons | 8.2 |
| Loaded into containers, in quantities of 10 gallons or less | 11.3 |
| Tank wagon deliveries to resellers in quantities of 25 gallons or over | 10.3 |
| Tank wagon deliveries to consumers in quantities of 25 gallons or over | 10.8 |
| Tank wagon deliveries to consumers in quantities of less than 25 gallons | 12.3 |

SEC. 2.31 North Carolina.

SEC. 2.32 North Dakota.

SEC. 2.33 Ohio—(a) *Counties of Cuyahoga, Lorain, Medina, Summit, Stark, Portage, Geauga, Lake, Ashtabula, Trumbull, Mahoning and Columbiana.* Maximum prices of the products listed below in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District 1 or the State of Michigan shall be as follows:

| Products: | Cents per gallon |
|-------------------------------------------------------------------------------|------------------|
| Kerosene and Distillate fuel oils: | |
| 41 API gravity and above w. w. | |
| kerosene | 6.25 |
| No. 1 prime white distillate (fuel oil) Range or Stove oil and No. 1 fuel oil | *6.125 |
| No. 2 fuel oil | *6.00 |
| No. 3 fuel oil | *6.00 |

* For Stark County deduct .25.

(b) *Counties of Allen, Hancock, Lucas, Putnam, Wood and Licking.* Maximum prices of the products listed below in bulk lots f. o. b. shipping points in the above counties shall be as follows:

(1) *For shipment to ultimate destinations in Petroleum Administration for War District 1 or the State of Michigan:*

| Products: | Cents per gallon |
|-------------------------------------------------------------------------------|------------------|
| Kerosene and Distillate fuel oils: | |
| 41 API gravity and above w. w. | |
| kerosene | 6.25 |
| No. 1 prime white distillate (fuel oil) Range or Stove oil and No. 1 fuel oil | 5.75 |
| No. 2 fuel oil | 5.50 |
| No. 3 fuel oil | 5.50 |

(2) *For shipment to destinations other than in Petroleum Administration for War District 1 or the State of Michigan.* Maximum prices of No. 1 prime white distillate, range or stove oil and No. 1 fuel oil in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations other than Petroleum Administration for War District 1 or the State of Michigan shall be as those established under subparagraph (1) above or as determined under other sections of this Regulation, whichever may be higher.

(c) *Counties of Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia and Meigs.* Maximum prices of the products listed below f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District 1 or the State of Michigan shall be as follows:

| Products: | Cents per gallon |
|--------------------------------------------------------------------------------|------------------|
| Kerosene and distillate fuel oils: | |
| 41 API gravity and above w. w. | |
| kerosene | 6.125 |
| No. 1 prime white distillate (fuel oil, range or stove oil and No. 1 fuel oil) | 5.625 |
| No. 2 fuel oil | 5.50 |
| No. 3 fuel oil | 5.50 |

SEC. 2.34 Oklahoma—(a) *State of Oklahoma.* Maximum prices, f. o. b. refineries in the State of Oklahoma, of the products listed below in bulk lots loaded into tank cars and motor transports shall be as follows:

| Products: | Cents per gallon |
|----------------------------------------------|------------------|
| Kerosene, distillate fuel oils and gas oils: | |
| 42-44 A.P.I. Gravity W.W. Kerosene | 4.500 |
| 41-43 A.P.I. Gravity W.W. Kerosene | 4.375 |
| Range or Stove Oil | 4.000 |
| No. 1 P.W. Distillate (Fuel Oil) | 3.875 |
| No. 1 Straw Fuel Oil | 3.750 |
| No. 2 Fuel Oil | 3.625 |
| No. 3 Fuel Oil | 3.500 |
| Gas Oil, Zero Cold Test (32-36 API gravity) | 3.375 |
| Gas Oil, Ordinary | 3.000 |

SEC. 2.35 Oregon.

SEC. 2.36—Pennsylvania—(a) Philadelphia area. In the Philadelphia area, comprising the Counties of Philadelphia, Montgomery, Chester, Delaware and Bucks in the State of Pennsylvania maximum tank wagon prices of grades Nos. 2, 3 and 4 distillate fuel oils shall be as follows:

| | Cents per gallon |
|--------------------------------------------------------|------------------|
| For deliveries in single lots of 100 gallons or more | 9.0 |
| For deliveries in single lots of less than 100 gallons | 9.5 |

(b) *Metropolitan Philadelphia Area.* In the Metropolitan Philadelphia area comprising that section of the State of Pennsylvania which is within a radius of seventeen and one-half (17½) miles of the City Hall Building in the City of Philadelphia, Pennsylvania, maximum tank wagon prices of grades Nos. 5 and 6 fuel oil shall be as follows:

| Grades: | Cents per gallon |
|---------------------------------------------------------------------------------------------------------------------------------|------------------|
| Grade No. 5, excluding residual fuel oils and blends thereof with distillate fuel oils | 5.76 |
| Grade No. 6 and residual fuel oils and blends thereof with distillate fuel oils in accordance with the following gravity scale: | |
| A. P. I. gravity range | |
| 12.9 and below | 4.76 |
| 13.0-15.9 | 5.05 |
| 16.0-19.9 | 5.33 |
| 20.0-24.9 | 5.62 |
| 25.0 and above | 5.76 |

SEC. 2.37—Rhode Island.

SEC. 2.38 South Carolina—(a) Pee Dee River section. The maximum tank wagon prices for the products listed below in the following tank wagon areas shall be as follows:

[Cents per gallon]

| Tank wagon areas | Kerosene | No. 1 fuel oil |
|------------------|----------|----------------|
| Bennettsville | 11.8 | 11.1 |
| Conway | 11.8 | 11.5 |
| Darlington | 12.0 | 11.8 |
| Dillon | 11.8 | 11.5 |
| Florence | 12.0 | 11.8 |
| Georgetown | 12.7 | 11.4 |
| Hartsville | 11.8 | 11.8 |
| Hemingway | 11.8 | 11.4 |
| Kingstree | 12.7 | 11.3 |
| Lake City | 11.8 | 11.8 |
| Lake View | 11.8 | 11.8 |
| Lamar | 12.0 | 12.0 |
| Latta | 11.8 | 11.5 |
| Loris | 11.8 | 11.4 |
| Marion | 11.8 | 11.5 |
| Mulins | 11.8 | 11.5 |
| Nichols | 11.8 | 11.8 |
| Olantha | 11.8 | 11.8 |
| Sumter | 11.8 | 11.8 |

SEC. 2.39 South Dakota.

SEC. 2.40 Tennessee.

SEC. 2.41 Texas—(a) *Texas Gulf Coast ports*—(1) Maximum prices in bulk lots¹ F.O.B. refineries and tanker terminals.

| Products: | Cents per gallon |
|-----------------------------------------------------|------------------|
| Kerosene and distillate fuel oils: | |
| Kerosene, water white (41 A.P.I. gravity and above) | 4.125 |
| Range or stove oil ² | 3.875 |
| No. 1 fuel oil ³ | 3.875 |
| No. 2 fuel oil | 3.75 |
| No. 3 fuel oil | 3.75 |
| Diesel fuels (distillate): ⁴ | |
| Diesel Index 58 and above | 4.25 |
| Diesel Index 53-57 | 4.125 |
| Diesel Index 52 and below | 4.00 |

(2) *Diesel oil, ship's bunkers.* Maximum prices for residual and distillate diesel oil, ship's bunkers (ex lighterage), shall be:

| | Dollars per barrel |
|---------------------------------------|--------------------|
| Residual, below 28° API gravity | \$1.35 |
| Distillate, 28° API gravity and above | 1.65 |

(c) *At inland Texas points.* Maximum prices of petroleum products listed below loaded into tank cars, motor transports, and pipe lines,⁵ f. o. b. refineries,⁶ located in Texas Panhandle,⁷ West Texas,⁸ North Texas,⁹ and East Texas¹⁰ for shipment to the destinations indicated below¹¹ shall be as follows:

| Products | For shipment to ultimate destinations | | |
|----------------------------------------------|-------------------------------------------------------------------------|-------------------------------|-----------------------------|
| | Column 1 Ariz., Ark., Colo., La., N. Mex., Okla., and Texas | Column 2 PAW District 1 | Column 3 Other States |
| Kerosene, distillate fuel oils and gas oils: | | | |
| 42-44 API gravity W. W. Kerosene | 4.50 | 4.125* | 4.375 |
| 41-43 API gravity W. W. Kerosene | 4.375 | 4.125 | 4.25 |
| Range or stove oil | 4.00 | 3.875 | 3.875 |
| No. 1 Prime White Distillate (fuel oil) | 3.875 | 3.875 | 3.75 |
| No. 1 Straw Fuel Oil | 3.75 | 3.75 | 3.625 |
| No. 2 Fuel Oil | 3.625 | 3.625 | 3.50 |
| No. 3 Fuel Oil | 3.50 | 3.50 | 3.375 |
| Gas Oil, Zero Cold Test (32-36 API Gr.) | 3.375 | 3.375 | 3.25 |
| Gas Oil, Ordinary | 3.00 | 3.00 | 2.875 |
| Diesel fuels (distillate): ¹ | | | |
| 58 Diesel Index and above | 4.25 | 4.25 | 4.125 |
| 53-57 Diesel Index | 4.125 | 4.125 | 4.00 |
| 52 Diesel Index and below | 4.00 | 4.00 | 3.875 |

* These prices apply only to fuels sold for use in Diesel engines.

¹ When loaded into pipeline (see note 3), tank car, motor transport or tank wagon for shipment to ultimate destinations other than in Petroleum Administration for War District 1, seller may charge prices in this Table or his maximum prices under other sections of this Regulation, whichever may be higher.

² If range or stove oil or No. 1 fuel oil conform to all of a particular seller's specifications for water white kerosene of 41 API gravity and above the maximum price for such products shall be 4.125¢ per gallon for such seller.

³ Products loaded into pipelines for ultimate delivery to War Emergency Pipelines and pipelines with District No. 1 termini shall be considered destined for District No. 1.

⁴ These prices apply only to fuels sold for use in Diesel engines.

⁵ Products delivered into pipelines for ultimate delivery to War Emergency Pipelines and pipelines with Petroleum Administration for War District 1 termini shall be considered destined for Petroleum Administration for War District 1.

⁶ Column 2 prices apply to all shipping points within the designated areas for shipments to ultimate destinations in Petroleum Administration for War District 1.

⁷ The Texas Panhandle Area comprises the Counties of Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Parmer, Castro, Swisher, Briscoe, Hall, Childress in the State of Texas.

⁸ The West Texas Area comprises the Counties of Bailey, Lamb, Hale, Floyd, Motley, Cottle, Hardeman, Foard, Cochran, Hockley, Lubbock, Crosby, Dickens, King, Knox, Yoakum, Terry, Lynn, Garza, Kent, Stonewall, Haskell, Gaines, Dawson, Borden, Scurry, Fisher, Jones, Andrews, Martin, Howard, Mitchell, Nolan, Taylor, Loving, Winkler, Ector, Midland, Glasscock, Sterling, Coke, Runnels, Coleman, Brown, Mills, Ward, Crane, Upton, Reagan, Irion, Tom Green, Concho, McCulloch, San Saba, Pecos, Terrell, Crockett, Schleicher, Sutton, Menard, Kimble, Mason, Val Verde, Edwards in the State of Texas.

⁹ The North Texas Area comprises the Counties of Wilbarger, Wichita, Clay, Montague, Cooke, Grayson, Baylor, Archer, Throckmorton, Young, Jack, Wise, Denton, Collin, Shackelford, Stephens, Palo Pinto, Parker, Tarrant, Dallas, Rockwall, Callahan, Eastland, Comanche, Erath, Hood, Somervell, Johnson, Ellis, Hamilton, Bosque, Hill, Navarro, Lampasas, Coryell, McLennan, Limestone, Freestone in the State of Texas.

¹⁰ The East Texas Area comprises the Counties of Fannin, Lamar, Red River, Bowie, Hunt, Delta, Hopkins, Franklin, Titus, Camp, Morris, Kaufman, Van Zandt, Rains, Wood, Cass, Smith, Upshur, Marion, Gregg, Harrison, Henderson, Cherokee, Rusk, Panola, Anderson, Nacogdoches, Shelby, Houston, Angelina, Trinity, Polk, Tyler, San Augustine, Sabine, Jasper, Newton in the State of Texas.

¹¹ For the Texas Panhandle Area Column 1 prices also apply to ultimate destinations in the Counties of Jewell, Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman, Harper, and all counties west thereof in the State of Kansas.

SEC. 2.42 Utah.

SEC. 2.43 Vermont—(a) State of Vermont. The maximum tank wagon prices of Nos. 2 and 3 fuel oil to consumers in the following townships and cities in the State of Vermont shall be as follows:

(1) For single lot deliveries of 100 gallons or more:

| | Cents per gallon | Cents per gallon | |
|------------------------------------|---------------------|---------------------|------|
| Adams | 9.5 | Mount Tabor | 9.4 |
| Addison | 9.8 | Muddy Brook | 9.5 |
| Albany | 10.6 | Newark | 10.2 |
| Alburg | 9.8 | Newbury | 10.2 |
| Andover | 10.2 | Newfane | 10.2 |
| Arlington | 9.4 | New Haven | 9.8 |
| Athens | 10.2 | New Haven Junction | 9.8 |
| Averill | 11.2 | New Haven Mills | 9.8 |
| Avery's Gore (Averill District) | 11.2 | Newport | 10.6 |
| Avery's Gore (St. Albans District) | 9.7 | Newport City | 10.6 |
| Bakersfield | 9.7 | North Duxbury | 9.8 |
| Baltimore | 9.7 | North Ferrisburg | 9.8 |
| Barnard | 10.1 | Northfield | 10.2 |
| Barnet | 10.2 | North Hero | 9.5 |
| Barre | 10.2 | North Underhill | 9.5 |
| Barre City | 10.2 | North Williston | 9.5 |
| Barton | 10.6 | Norton | 11.2 |
| Basin Harbor | 9.8 | Norwich | 10.1 |
| Belvidere | 9.8 | Orange | 10.2 |
| Belvidere Center | 9.8 | Orwell | 9.5 |
| Belvidere Corners | 9.8 | Panton | 9.8 |
| Bennington | 9.4 | Pawlet | 9.5 |
| Benson | 9.3 | Peacham | 10.2 |
| Berlin | 10.2 | Peru | 9.4 |
| Berkshire | 10.2 | Pittsfield | 10.2 |
| Bethel | 10.4 | Pittsford | 9.5 |
| Binghamville | 9.8 | Plainfield | 10.2 |
| Bloomingfield | 11.2 | Pleasant Valley | 9.8 |
| Bolton | 9.5 | Plymouth | 9.7 |
| Bradford | 10.2 | Pomfret | 10.1 |
| Braintree | 10.4 | Poultney | 9.3 |
| Brandon | 9.5 | Pownal | 9.4 |
| Brattleboro | 10.2 | Proctor | 9.5 |
| Bridgewater | 10.1 | Putney | 10.2 |
| Bridport | 10.0 | Queen City Park | 9.5 |
| Brighton | 10.6 | Randolph | 10.4 |
| Bristol | 9.8 | Reading | 10.1 |
| Brookfield | 10.4 | Readsboro | 9.8 |
| Brookline | 10.2 | Richford | 10.2 |
| Brownington | 10.6 | Richmond | 9.5 |
| Brunswick | 11.2 | Ripton | 10.0 |
| Burke | 10.2 | Rochester | 10.2 |
| Burlington City | 9.2 | Rockingham | 10.2 |
| Cabot | 10.2 | Roxbury | 10.4 |
| Calais | 10.2 | Royalton | 10.4 |
| Cambridge | 9.8 | Rupert | 9.5 |
| Cambridge Junction | 9.8 | Rutland | 9.5 |
| Canaan | 11.2 | Rutland City | 9.5 |
| Castleton | 9.3 | Ryegate | 10.2 |
| Cavendish | 9.7 | St. Albans | 9.7 |
| Cedar Beach | 9.5 | St. Albans City | 9.7 |
| Charleston | 10.6 | St. George | 9.5 |
| Charlotte | 9.5 | St. Johnsbury | 10.2 |
| Checkerberry Village | 9.5 | Salisbury | 9.5 |
| Chelsea | 10.2 | Sandgate | 9.4 |
| Chester | 9.7 | Searsburg | 9.4 |
| Chittendon | 9.5 | Shaftsbury | 9.4 |
| Clarendon | 9.5 | Sharon | 10.4 |
| Cloverdale | 9.8 | Sheffield | 10.2 |
| Colbyville | 9.8 | Shelburne | 9.2 |
| Colchester | 9.5 | Shelburne Falls | 9.2 |
| Concord (excluding E. Concord) | 10.2 | Sheldon | 10.2 |
| Corinth | 10.2 | Sherburne | 10.2 |
| Cornwall | 10.0 | Shoreham | 10.0 |
| Coventry | 10.6 | Shrewsbury | 9.5 |
| Craftsbury | 10.2 | Somerset | 9.4 |
| Danby | 9.4 | South Burlington | 9.2 |
| Danville | 10.2 | South Hero | 9.5 |
| Derby | 10.6 | South Lincoln | 9.8 |
| Dorset | 9.4 | South Starksboro | 9.8 |
| Dummerston | 10.2 | Springfield | 10.2 |
| Duxbury | 9.8 | Stamford | 9.3 |
| East Barnard | 10.4 | Stannard | 10.2 |
| East Charlotte | 9.5 | Starksboro | 9.5 |
| East Concord | 11.0 | Stockbridge | 10.2 |
| East Dover | 10.2 | Stowe | 10.2 |
| East Fletcher | 9.8 | Strafford | 10.1 |
| East Georgia | 9.7 | Stratton | 9.4 |
| | 9.7 | Sudbury | 9.5 |
| | 9.7 | Sunderland | 9.4 |
| | 9.8 | Sutton | 10.2 |
| | 10.2 | Swanton | 9.7 |
| | 10.2 | Thetford | 10.1 |
| | 10.2 | Thompsons Point | 9.8 |
| | 9.8 | Timmouth | 9.5 |
| | 10.2 | Topsham | 10.2 |

| | Cents per gallon |
|------------------|---------------------|
| Townshend | 10.2 |
| Troy | 10.6 |
| Tunbridge | 10.4 |
| Underhill | 9.5 |
| Underhill Center | 9.5 |
| Vergennes | 9.8 |
| Vernon | 10.2 |
| Vershire | 10.2 |
| Victory | 10.2 |
| Waitsfield | 10.2 |
| Walden | 10.2 |
| Waldsboro | 10.2 |
| Wallingford | 9.5 |
| Waltham | 9.8 |
| Warner's Grant | 11.2 |
| Warren | 10.2 |
| Warren Gore | 11.2 |
| Washington | 10.2 |
| Waterbury | 9.8 |
| Waterbury Center | 9.8 |
| Waterford | 10.2 |
| Waterville | 9.8 |
| Weathersfield | 10.2 |
| Wells | 9.5 |
| Westfield | 10.6 |
| Westford | 9.5 |
| Westminster | 10.2 |
| Westmore | 10.6 |
| Weston | 9.7 |
| West Addison | 9.8 |
| West Bolton | 9.5 |
| West Dover | 9.4 |
| West Fairlee | 10.2 |
| West Ferrisburg | 9.8 |
| West Haven | 9.3 |
| West Lincoln | 9.8 |
| West Milton | 9.5 |
| West Rutland | 9.5 |
| West Salisbury | 10.0 |
| West Windsor | 10.1 |
| Weybridge | 10.0 |
| Wheeler | 10.2 |
| Whiting | 9.5 |
| Whittingham | 9.3 |
| Williamstown | 10.2 |
| Williston | 9.5 |
| Wilmington | 9.4 |
| Windham | 10.2 |
| Windsor | 10.1 |
| Winhall | 9.4 |
| Winooski | 9.2 |
| Wolcott | 10.2 |
| Woodbury | 10.2 |
| Woodford | 9.4 |
| Woodstock | 10.1 |
| Worcester | 10.2 |

| | Cents per gallon |
|-----------------------------------------------------------------------------------------------------------|---------------------|
| Loaded into buyers' tank wagons | 8.3 |
| Tank wagon deliveries to resellers | 10.8 |
| Tank wagon deliveries to consumers in quantities of 25 gallons or over | 10.8 |
| Tank wagon deliveries to consumers in quantities of less than 25 gallons | 12.3 |
| (2) For Nos. 2, 3 and 4 distillate fuel oils: | |
| | Cents per gallon |
| Tank wagon deliveries to consumers in quantities of 100 gallons or over | 9.4 |
| Tank wagon deliveries to consumers in quantities of less than 100 gallons | 9.9 |
| ARTICLE III—MAXIMUM PRICES FOR HEAVY FUEL OIL FOR AREAS NOT LIMITED TO A SINGLE STATE OR TERRITORY | |

Special section 1—Permissible Increases for certain marketers—(a) On certain f. o. b. refinery shipments. When made by an eligible marketer, as defined in section 1.14 (j), the maximum price, on an f. o. b. refinery shipment from any point covered by Table I of section 3.1 to an ultimate destination other than in Petroleum Administration for War District I, shall be the maximum f. o. b. refinery price established for the particular shipping point in such table plus 5.25 cents per barrel; or

(b) On sales to governmental agencies pursuant to public bidding. If bids are taken by a governmental agency on an f. o. b. shipping point price basis, then, on such a bid, if the bidder is an eligible marketer, as defined in section 1.14 (j), he may bid and charge, for an f. o. b. refinery shipment from any point covered by Table I of section 3.1, the maximum f. o. b. refinery price established for the particular shipping point in such table plus 10.5 cents per barrel, *Provided*, That the laid-down cost to such governmental agency does not exceed the sum of the maximum f. o. b. price of each

(EXCLUSIVE OF TAXES)

TABLE I—MAXIMUM PRICES IN BULK LOTS, F. O. B. REFINERIES, SEABOARD TANKER TERMINALS, AND RIVER TANKER TERMINALS AT ALBANY, N. Y., AND ON THE MISSISSIPPI RIVER UP TO AND INCLUDING BATON ROUGE, LOUISIANA

[Dollars per 42-gallon barrel]

| A. P. I. gravity range | Price Area A | Price Area B | Price Area C | Price Area D | Price Area E | Price Area F | Price Area G | Price Area H | Price Area I | Price Area J | Price Area K | Price Area L |
|---------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| 9.0 and below ° A. P. I. | 0.85 | 0.80 | 0.74 | 0.85 | 1.00 | 1.43 | 1.47 | 1.68 | 1.68 | 1.89 | 2.10 | 1.85 |
| 10.0-12.9 ° A. P. I. | 0.90 | 0.85 | 0.85 | 0.85 | 1.00 | 1.43 | 1.47 | 1.68 | 1.68 | 1.89 | 2.10 | 1.85 |
| 13.0-15.9 ° A. P. I. | 1.02 | 0.97 | 0.97 | 0.97 | 1.14 | 1.51 | 1.56 | 1.74 | 1.77 | 1.95 | 2.16 | 1.97 |
| 16.0-19.9 ° A. P. I. | 1.14 | 1.09 | 1.09 | 1.09 | 1.28 | 1.59 | 1.65 | 1.80 | 1.86 | 2.01 | 2.22 | 2.00 |
| 20.0-24.9 ° A. P. I. | 1.26 | 1.21 | 1.21 | 1.21 | 1.42 | 1.67 | 1.74 | 1.86 | 1.95 | 2.07 | 2.28 | 2.21 |
| 25.0 and above ° A. P. I. | 1.32 | 1.27 | 1.27 | 1.27 | 1.50 | 1.71 | 1.79 | 1.89 | 2.00 | 2.10 | 2.31 | 2.27 |

| A. P. I. gravity range | Price Area M | Price Area N | Price Area O | Price Area P | Price Area Q | Price Area R | Price Area S | Price Area T | Price Area U | Price Area V |
|---------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| 9.0 and below ° A. P. I. | 1.65 | 1.60 | 1.50 | 1.15 | 1.10 | 0.95 | 0.75 | 0.80 | 0.80 | 1.26 |
| 10.0-12.9 ° A. P. I. | 1.65 | 1.60 | 1.50 | 1.15 | 1.10 | 0.95 | 0.80 | 0.85 | 0.85 | 1.26 |
| 13.0-15.9 ° A. P. I. | 1.77 | 1.72 | 1.62 | 1.27 | 1.22 | 1.15 | 0.92 | 0.99 | 0.96 | 1.36 |
| 16.0-19.9 ° A. P. I. | 1.89 | 1.84 | 1.74 | 1.39 | 1.34 | 1.35 | 1.04 | 1.13 | 1.07 | 1.46 |
| 20.0-24.9 ° A. P. I. | 2.01 | 1.96 | 1.86 | 1.51 | 1.46 | 1.55 | 1.04 | 1.27 | 1.18 | 1.56 |
| 25.0 and above ° A. P. I. | 2.07 | 2.02 | 1.92 | 1.57 | 1.52 | 1.65 | 1.04 | 1.34 | 1.24 | 1.61 |

NOTE: On sales f. o. b. refineries and terminals within the Schedule "D" area of Zone 6, as defined in section 1.14 (n), for shipment to ultimate destinations in Petroleum Administration for War District I, outside of such Schedule "D" area the maximum price shall be the prices designated above less 30 cents per barrel.

A comprises Kansas, excluding however, the area within a radius of 25 miles of Kansas City, Missouri.

person participating in the particular bidding as determined or established under any other section of this regulation for the shipping point from which each bidder proposes to make shipment plus the actual cost of transportation that would be incurred from such point to destination by such person.

Special section 2—Permissible brokerage charges to buyers. The terms "broker," "eligible broker" and "brokerage commission" are defined in section 1.14 (k) of this regulation. Except as herein provided, a buyer may not be charged brokerage commission which will increase the buyer's cost on an f. o. b. refinery shipment from any point covered by Table I of section 3.1 to more than the maximum f. o. b. refinery price established for the particular shipping point in such table. When, however, an f. o. b. refinery shipment from any point covered by such table has been found or negotiated by an eligible broker or eligible brokers a buyer may be charged brokerage commission, which, added to the f. o. b. refinery price established for the particular shipping point under such table, will not increase the buyer's f. o. b. refinery cost to more than 5.25 cents per barrel above the said maximum price.

SEC. 3.1 *Maximum prices of residual fuel oils and blends thereof with distillate fuel oils, of certain A. P. I. gravities indicated below and otherwise meeting current commercial standard specifications for fuel oils, except all diesel fuel oils—*(a) *On tank wagon sales.* Maximum tank wagon prices in any area where fuel oil rationing applies shall be .3 of a cent per gallon above the maximum prices as determined under this section 3.1.

(b) *Price tables to determine maximum prices f. o. b. refineries and tanker terminals in bulk lots.* (Price areas for each table are defined below such table.)

(2) For single lot deliveries of less than 100 gallons, the maximum price at each point stated in subparagraph (1) above shall be increased by .5 of a cent per gallon.

SEC. 2.44 *Virginia.*
SEC. 2.45 *Washington.*
SEC. 2.46 *West Virginia.*
SEC. 2.47 *Wisconsin.*

SEC. 2.48 *Wyoming*—(a) *Cheyenne tank wagon area.* The maximum tank wagon price for kerosene shall be 9¢ per gallon.

SEC. 2.49 *Hawaii.*
SEC. 2.50 *Puerto Rico.*
SEC. 2.51 *Alaska.*
SEC. 2.52 *District of Columbia—(a) Washington, D. C., tank wagon area.* Maximum tank wagon prices shall be as follows:

(1) For kerosene, No. 1 fuel oil and range oil:

B comprises Oklahoma, Arkansas, Louisiana (excluding, however, Gulf Coast ports and Mississippi River ports up to and including Baton Rouge), Texas (excluding, however, Gulf Coast ports and Panhandle which is defined hereby as the portion of Texas north of the southern boundaries of Farmer, Castro, Swisher, Briscoe, Hall and Childress).

C comprises New Mexico and Texas Panhandle (which is defined hereby as the portion of Texas north of the southern boundaries of Farmer, Castro, Swisher, Briscoe, Hall and Childress).

D comprises Texas Gulf Coast ports and Louisiana Gulf Coast ports and Mississippi River ports up to and including Baton Rouge.

E comprises the area within a radius of 25 miles of Kansas City, Missouri.

F comprises that part of Missouri within a radius of twenty-five miles of St. Louis, Missouri, and the following counties of Illinois: St. Clair, Madison, Montgomery, Bond, Clinton, Washington, Jefferson, Marion, Fayette, Shelby, Effingham, Clay, Wayne, Hamilton, Christian, White, Edwards, Wabash, Richland, Lawrence, Crawford, and Jasper.

G comprises the following counties of Kentucky: Union, Henderson, Daviess, Hancock, Breckinridge, Meade, Hardin, Bullitt, Jefferson and Oldham, and the following counties of Indiana: Posey, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd and Clark.

H comprises the following counties of Illinois: Lake, Cook, DuPage and Will; the following counties of Indiana: Lake, Porter and LaPorte, and the State of Michigan (excluding, however, the counties of Wayne and Monroe).

I comprises the area within a radius of 25 miles of Indianapolis, Indiana; the following counties of Ohio: Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, Meigs and the following counties of Kentucky: Boone, Kenton, Campbell, Pendleton, Bracken, Mason, Lewis, Greenup and Boyd.

J comprises the following counties of Michigan: Wayne and Monroe; and the following counties of Ohio: Lucas, Wood, Hancock, Putnam and Allen.

K comprises the following counties of Ohio: Lorain, Medina, Cuyahoga, Summit, Stark, Portage, Geauga, Lake, Ashtabula, Trumbull, Mahoning, Columbiana, and the following counties of New York: Chautauqua, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee, Orleans; and the following counties of Pennsylvania: Potter, Cameron, Clearfield, Cambria, Somerset and all other Pennsylvania counties west thereof; and West Virginia.

L comprises Albany, New York.

M comprises Portland, Maine; Portsmouth, New Hampshire; Boston and Fall River, Massachusetts; Tiverton and Providence, Rhode Island; New Haven, Connecticut; New York Harbor; Philadelphia Harbor; Baltimore, Maryland; and Norfolk, Virginia.

N comprises Wilmington, North Carolina; Charleston, South Carolina; Savannah, Georgia; Jacksonville and Miami, Florida.

O comprises Tampa, Florida.

P comprises Pensacola, Florida.

Q comprises Mobile, Alabama.

R comprises the area within a radius of twenty-five miles of Denver, Colorado.

S comprises Wyoming.

T comprises the Montana counties of Blaine, Fergus, Golden Valley, Stillwater and Carbon and counties of Montana east thereof.

U comprises the Montana counties of Hill, Chouteau, Judith Basin, Wheatland, Sweet Grass, Park and counties of Montana west thereof.

V comprises Utah.

TABLE II—MAXIMUM PRICES IN BULK LOTS, F. O. B. REFINERIES IN DISTRICTS 1, 2, 3 AND 4 AS DEFINED BY THE PETROLEUM ADMINISTRATOR FOR WAR AND NOT COVERED BY TABLE I

[Dollars per 42-gallon barrel]

| A. P. I. gravity range | Price Area AA | Price Area BB | Price Area CC | Price Area DD | Price Area EE | Price Area FF | Price Area GG | Price Area HH | Price Area II |
|--------------------------|-----------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| 9.9 and below ° A. | | | | | | | | | |
| P. I. | BP ¹ | BP |
| 10.0-12.9° A. P. I. | BP | BP+0.05 | BP | BP | BP | BP+0.05 | BP+0.05 | BP | BP |
| 13.0-15.9° A. P. I. | BP+0.12 | BP+0.17 | BP+0.06 | BP+0.09 | BP+0.20 | BP+0.19 | BP+0.16 | BP+0.10 | BP+0.14 |
| 16.0-19.9° A. P. I. | BP+0.24 | BP+0.29 | BP+0.12 | BP+0.18 | BP+0.40 | BP+0.33 | BP+0.27 | BP+0.20 | BP+0.28 |
| 20.0-24.9° A. P. I. | BP+0.36 | BP+0.41 | BP+0.18 | BP+0.27 | BP+0.60 | BP+0.47 | BP+0.38 | BP+0.30 | BP+0.42 |
| 25.0 and above ° A. | | | | | | | | | |
| P. I. | BP+0.42 | BP+0.47 | BP+0.21 | BP+0.32 | BP+0.70 | BP+0.54 | BP+0.44 | BP+0.35 | BP+0.50 |

¹ BP=Base Price which is to be determined as follows: If a refiner has an established maximum price under other provisions of this price schedule for fuel oil meeting No. 6 Commercial Standard specifications then the base price shall be the refiner's or terminal operator's maximum price thereunder for such No. 6 fuel oil to the class of purchasers who are the principal users of such fuel oil in that price area in which the particular refiner is located.

Base Prices established hereunder must be reported by each refiner to the Petroleum Branch of the Office of Price Administration in Washington, D. C. within 15 days after the initial sales of any grade of fuel oil the maximum price for which is established by this subdivision.

If a seller cannot establish a base price hereunder then he shall file a tentative price with the Petroleum Branch of the Office of Price Administration in accordance with section 8.3.

AA comprises Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York (excluding, however, counties of Chautauqua, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee and Orleans), Pennsylvania (excluding, however, counties of Potter, Cameron, Clearfield, Cambria, Somerset and all other Pennsylvania counties west thereof), New Jersey, Maryland, District of Columbia, Delaware, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi Gulf Coast ports, Louisiana Gulf Coast ports, Louisiana Mississippi river ports up to and including Baton Rouge, and Texas Gulf ports.

BB comprises Mississippi (excluding, however, Gulf Coast ports), Louisiana (excluding, however, Gulf Coast ports and Mississippi River ports up to and including Baton Rouge), Texas (excluding, however, Gulf Coast ports), Tennessee, Arkansas, New Mexico, Oklahoma, Kansas (excluding, however, the area within a radius of 25 miles of Kansas City, Missouri), Missouri (excluding, however, the areas within a radius of 25 miles of Kansas City, Missouri and St. Louis, Missouri), Iowa, Minnesota, Wisconsin, North Dakota, South Dakota, Nebraska, and Wyoming, except that for Wyoming opposite gravities 20.0° to 24.0° and 25.0° and above A. P. I. add only 2¢.

CC comprises the following counties of Illinois: Lake, Cook, DuPage and Will; the following counties of Indiana: Lake, Porter, LaPorte; Ohio (excluding, however, the following counties of Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, Meigs); the following counties of New York: Chautauqua, Erie, Niagara, Cattaraugus, Allegany, Wyoming, Genesee, Orleans; the following counties of Pennsylvania: Potter, Cameron, Clearfield, Cambria, Somerset, and all other counties of Pennsylvania west thereof; West Virginia; and Michigan.

DD comprises that part of Missouri within a radius of 25 miles of St. Louis, Missouri; Illinois (excluding, however, the counties of Lake, Cook, DuPage and Will); Indiana (excluding, however, the counties of Lake, Porter, and LaPorte); the following counties of Ohio: Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia, and Meigs.

EE comprises Colorado.

FF comprises Eastern Montana which is defined hereby as the portion of Montana east of the western boundaries of the counties of Blaine, Fergus, Golden Valley, Stillwater and Carbon.

GG comprises Western Montana which is defined hereby as the portion of Montana west of the eastern boundaries of the counties of Hill, Chouteau, Judith Basin, Wheatland, Sweetgrass and Park; Idaho.

HH comprises Utah.

II comprises the area within a 25 mile radius of Kansas City, Missouri.

(c) *Maximum delivered prices, in bulk lots, of those refiners and tanker terminal operators whose f. o. b. maximum prices are established by Tables I and II.* If a refiner or terminal operator has an

established maximum price or prices under other provisions of this regulation at a particular delivery point for fuel oil meeting No. 6 commercial standard specifications, then his maximum price

or prices at that point for fuel oil of 9.9° A. P. I. gravity and below shall be his maximum prices thereunder for such No. 6 fuel oil at such delivery point.

If a refiner or terminal operator has no established maximum price or prices at a particular delivery point under other provisions of this regulation for any grade of fuel oil meeting No. 6 commercial standard specifications, then he shall file a tentative maximum price at such point for fuel oil of 9.9° A. P. I. gravity and below in accordance with section 8.3.

For gravities higher than 9.9° A. P. I. gravity, such refiner's or terminal operator's maximum price or prices at a particular delivery point shall be the sum of his maximum price for fuel oil of 9.9° A. P. I. gravity and below and the dollars and cents differential between the price for fuel oil of 9.9° A. P. I. gravity and below and such higher gravity fuel oil established under Table II for refineries or ocean terminals located in the price area where the delivery is made.

(d) *Maximum f. o. b. shipping point and delivery point prices for all sellers other than those refiners and tanker terminal operators covered by paragraphs (b) and (c) above.* If a seller other than a refiner or ocean terminal operator has an established maximum price or prices under other provisions of this regulation at a particular shipping or delivery point for fuel oil meeting No. 6 commercial standard specifications, then his maximum price or prices at that point for fuel oil of 9.9° A. P. I. gravity and below shall be his maximum price or prices thereunder for such No. 6 fuel oil at such point; *Provided*, That in Price Area FF a seller's maximum price at a particular point for 9.9° A. P. I. gravity shall be the sum of his maximum price or prices for No. 6 fuel oil at such point and 5 cents per barrel.

If a seller has no established maximum price or prices at a particular shipping or delivery point under other provisions of this regulation for any grade of fuel oil meeting No. 6 commercial standard specifications, then he shall file a tentative maximum price or prices at such point for fuel oil of 9.9° A. P. I. gravity and below in accordance with section 8.3.

For gravities higher than 9.9° A. P. I. gravity, a seller's maximum price or prices at a particular shipping or delivery point shall be the sum of his maximum price for fuel oil of 9.9° A. P. I. gravity and below and the dollars and cents differential between the price for fuel oil of 9.9° A. P. I. gravity and below and such higher gravity fuel oil established under Table II for refineries or ocean terminals located in the price area where the delivery is made.

(e) *If a refiner, ocean terminal operator, or other seller had an established maximum price or prices under other provisions of this regulation at a particular shipping or delivery point for residual fuel oil or blends thereof with distillate fuel oils which either meets No. 5*

fuel oil commercial standard specifications, or has a lower viscosity than No. 5 commercial standard specifications, his maximum price for such fuel oil at such point shall be either the price or prices which he is permitted to charge under (a), (b), (c) and (d) of this section 3.1 or the price or prices established under other provisions of this regulation, whichever is higher: *Provided*, That the maximum prices for Navy Grade Special shall be as follows: In Price Area D the seller's maximum price shall be either the price for the same gravity fuel oil in Table I or \$1.05, whichever is higher. In other price areas his maximum price shall be either the applicable price for the same gravity fuel oil in the table or his maximum price established under other provisions of this regulation, whichever is higher.

ARTICLE IV—SPECIFIC MAXIMUM PRICES FOR GASOLINE FOR AREAS WITHIN SINGLE STATES OR TERRITORIES OR THE DISTRICT OF COLUMBIA.

(Prices stated in Article IV are exclusive of taxes.)

Special section 1—Permissible increases for certain marketers—(a) On certain f. o. b. refinery shipments. On f. o. b. refinery shipments to ultimate destinations other than in Petroleum Administration for War District I, when made by an eligible marketer, as defined in section 1.14 (j) of this regulation, the sum of $\frac{1}{4}$ of a cent per gallon may be added to a maximum f. o. b. refinery price established for the particular shipping point under any other section of this Article IV; or

(b) On sales to governmental agencies pursuant to public bidding. If bids are taken by a governmental agency on an f. o. b. shipping point price basis then, on such a bid, if the bidder is an eligible marketer, as defined in section 1.14 (j), the sum of $\frac{1}{4}$ of a cent per gallon may be added to a maximum f. o. b. refinery price established for the particular shipping point under any other section of this Article IV: *Provided*, That the laid-down cost to such governmental agency does not exceed the sum of the maximum f. o. b. price of each person participating in the particular bidding as determined or established under any other section of this regulation for the shipping point from which each bidder proposes to make shipment plus the actual cost of transportation that would be incurred from such point to destination by such person.

Special section 2—Permissible brokerage charges to buyers. The terms "broker," "eligible broker" and "brokerage commission" are defined in section 1.14 (k) of this regulation. Except as herein provided, a buyer may not be charged brokerage commission which will increase the buyer's cost on an f. o. b. refinery shipment to more than the applicable f. o. b. refinery price established below in this Article IV. On f. o. b. re-

finery shipments found or negotiated by an eligible broker or eligible brokers a buyer may, however, be charged such brokerage commission which added to the applicable maximum f. o. b. refinery price established below in Article IV, will not increase the buyer's cost f. o. b. the particular refinery to more than $\frac{1}{8}$ of a cent per gallon above the said maximum f. o. b. refinery price.

SEC. 4.1 Alabama.

SEC. 4.2 Arizona.
SEC. 4.3 Arkansas—(a) El Dorado Area. In the El Dorado area, comprising the Counties of Miller, Hempstead, Lafayette, Nevada, Columbia, Ouachita, Calhoun and Union, maximum prices of gasoline according to the specifications listed below, f. o. b. refineries¹ and loaded into tank cars, motor transports and pipe lines² for shipment to the destinations indicated below shall be as follows:

| Specifications | For shipment to ultimate destinations* | | |
|---------------------------------|----------------------------------------------------------------------------|-------------------------------|--------------------------|
| | Column 1 Ariz., Ark., Colo., La., N. Mex., Okla., and Texas | Column 2 PAW District 1 | Column 3 Other States |
| Gasoline: | | | |
| 80-82 Oct. ASTM and Ethyl Grade | 7.00 | 6.75 | 6.625 |
| 80 Oct. 1939 Research | 6.25 | 6.00 | 6.125 |
| 72-74 Oct. ASTM | 6.00 | 5.75 | 5.875 |
| 63-66 Oct. ASTM | 5.625 | 5.25 | 5.50 |
| 60-62 Oct. ASTM and below | 5.25 | 5.00 | 5.125 |

(b) Fort Smith tank wagon area. Maximum tank wagon prices of gasoline shall be:

| | Cents per gallon |
|----------------------------|------------------|
| Regular grade to dealers | 9.00 |
| Regular grade to consumers | 9.00 |
| Third grade to dealers | 6.25 |
| Third grade to consumers | 6.25 |

(c) Little Rock tank wagon area. Maximum tank wagon prices of gasoline shall be:

| | Cents per gallon |
|----------------------------|------------------|
| Regular grade to dealers | 9.5 |
| Regular grade to consumers | 9.5 |
| Third grade to dealers | 7.00 |
| Third grade to consumers | 7.00 |

(d) Texarkana tank wagon area. Maximum tank wagon prices of gasoline shall be:

| | Cents per gallon |
|----------------------------|------------------|
| Regular grade to dealers | 9.00 |
| Regular grade to consumers | 9.00 |
| Third grade to dealers | 7.5 |
| Third grade to consumers | 7.5 |

SEC. 4.4 California.

SEC. 4.5 Colorado.

SEC. 4.6 Connecticut.

SEC. 4.7 Delaware.

SEC. 4.8 Florida.

SEC. 4.9 Georgia.

SEC. 4.10 Idaho.

SEC. 4.11 Illinois—(a) Quincy tank wagon area. Maximum tank wagon prices of gasoline shall be:

| | Cents per gallon |
|----------------------------|------------------|
| Regular grade to dealers | 9.4 |
| Regular grade to consumers | 10.9 |
| Premium grade to dealers | 10.9 |

(b) Central Illinois area. In the counties of St. Clair, Madison, Montgomery, Bond, Clinton, Washington, Jefferson, Marion, Fayette, Shelby, Effingham, Clay, Wayne, Hamilton, Christian, White, Edwards, Wabash, Richland, Lawrence, Crawford, and Jasper in the State of

Illinois, the maximum prices of gasoline according to the specifications listed below, in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

| Specifications: | Cents per gallon |
|---------------------------------|------------------|
| Gasoline: | |
| 80-82 Oct. ASTM and Ethyl grade | 8.00 |
| 72-74 Oct. ASTM | 7.25 |
| 63-66 Oct. ASTM | 6.875 |
| 60-62 Oct. ASTM and below | 6.50 |

(c) Counties of Lake, Cook, DuPage and Will in the State of Illinois. In the following counties of the State of Illinois: Lake, Cook, DuPage and Will, the maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

| Specifications: | Cents per gallon |
|---------------------------------|------------------|
| Gasoline: | |
| 80-82 Oct. ASTM and Ethyl grade | 8.25 |
| 72-74 Oct. ASTM | 7.50 |
| 63-66 Oct. ASTM | 7.125 |
| 60-62 Oct. ASTM and below | 6.75 |

SEC. 4.12 Indiana—(a) Counties of Lake, Porter, and LaPorte in the State of Indiana. In the following counties in the State of Indiana: Lake, Porter and LaPorte, the maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in

¹ Column 2 prices apply to all shipping points within the designated area for shipments to ultimate destinations in Petroleum Administration for War District 1.

² Products delivered into pipe lines for ultimate delivery to War Emergency Pipe Lines and pipe lines with Petroleum Administration for War District 1 termini shall be considered destined for Petroleum Administration for War District 1.

³ Column 1 prices also apply to ultimate destinations in the States of Alabama, Mississippi, Tennessee, and the Counties of Cape Girardeau, Dunklin, Wayne, Pemiscot, Scott, New Madrid, Butler, Bollinger, Stoddard and Mississippi in the State of Missouri.

Petroleum Administration for War District One shall be as follows:

| Specifications: | Cents per gallon |
|---------------------------------|------------------|
| Gasoline: | |
| 80-82 Oct. ASTM and Ethyl grade | 8.25 |
| 72-74 Oct. ASTM | 7.50 |
| 63-66 Oct. ASTM | 7.125 |
| 60-62 Oct. ASTM and below | 6.75 |

(b) *Counties of Posey, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd, and Clark.* Maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District 1 or the State of Michigan shall be as follows:

| Specifications: | Cents per gallon |
|---------------------------------|------------------|
| Gasoline: | |
| 80-82 Oct. ASTM and Ethyl grade | 8.375 |
| 72-74 Oct. ASTM | 7.375 |

(c) *Indianapolis area.* In the Indianapolis area comprised of that part of the State of Indiana which is within a radius of 25 miles of the center of Indianapolis, Indiana, maximum prices for gasoline according to the specifications listed below in bulk lots f. o. b. shipping points in such area for shipment to ultimate destinations in Petroleum Administration for War District 1 or the State of Michigan shall be as follows:

| Specifications: | Cents per gallon |
|---------------------------------|------------------|
| Gasoline: | |
| 80-82 Oct. ASTM and Ethyl grade | 8.625 |
| 72-74 Oct. ASTM | 7.625 |

SEC. 4.13 *Iowa*—(a) *Des Moines tank wagon area.* Maximum tank wagon prices of gasoline shall be:

| Specifications: | Cents per gallon |
|----------------------------|------------------|
| Premium grade to dealers | 11.4 |
| Premium grade to consumers | 13.4 |
| Regular grade to dealers | 9.9 |
| Regular grade to consumers | 11.4 |
| Third grade to dealers | 9.4 |
| Third grade to consumers | 10.4 |

SEC. 4.14 *Kansas*—(a) *State of Kansas (except Kansas City area).* In the State of Kansas, except that part of the state which is within a radius of 25 miles of the center of Kansas City, Missouri, the maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

| Specifications: | Cents per gallon |
|---------------------------------|------------------|
| Gasoline: | |
| 80-82 Oct. ASTM and Ethyl grade | 6.875 |
| 72-74 Oct. ASTM | 6.125 |
| 63-66 Oct. ASTM | 5.75 |
| 60-62 Oct. ASTM and below | 5.375 |

(b) *Kansas City area.* In that part of the State of Kansas which is within a radius of 25 miles of the center of Kansas City, Missouri, the maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

| Specifications: | Cents per gallon |
|---------------------------------|------------------|
| Gasoline: | |
| 80-82 Oct. ASTM and Ethyl grade | 7.375 |
| 72-74 Oct. ASTM | 6.625 |
| 63-66 Oct. ASTM | 6.25 |
| 60-62 Oct. ASTM and below | 5.875 |

SEC. 4.15 *Kentucky*—(a) *Counties of Union, Henderson, Daviess, Hancock, Breckinridge, Meade, Hardin, Bullitt, Jefferson, and Oldham.* Maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District One or the State of Michigan shall be as follows:

| Specifications: | Cents per gallon |
|---------------------------------|------------------|
| Gasoline: | |
| 80-82 Oct. ASTM and Ethyl grade | 8.375 |
| 72-74 Oct. ASTM | 7.375 |

(b) *Counties of Boone, Kenton, Campbell, Pendleton, Bracken, Mason, Lewis, Greenup, and Boyd.* Maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District

One or the State of Michigan shall be as follows:

| Specifications: | Cents per gallon |
|---------------------------------|------------------|
| Gasoline: | |
| 80-82 Oct. ASTM and Ethyl grade | 8.625 |
| 72-74 Oct. ASTM | 7.625 |

SEC. 4.16 *Louisiana.* (a) *Louisiana Gulf Coast Ports¹ and New Orleans area² Shipping Points.* Maximum prices in bulk lots f. o. b. refineries and tanker terminals.

| Specifications: | Cents per gallon |
|--------------------------------------------|------------------|
| Motor gasolines: | |
| 80-82 Oct. ASTM and Ethyl grade | 6.75 |
| 80 Oct. 1939 Research, leaded (max. 2 cc.) | 6.00 |
| 72-74 Oct. ASTM leaded | 5.75 |
| 68-70 Oct. ASTM unleaded | 5.75 |
| 65-67 Oct. ASTM | 5.25 |
| 60-64 Oct. ASTM | 5.00 |

(b) *Shreveport area.* In the Shreveport area, comprising the parishes of Caddo, Bossier, Webster, De Soto and Red River, maximum prices of gasoline according to the specifications listed below f. o. b. refineries³ and loaded into tank cars, motor transports and pipe lines⁴ for shipment to the destinations indicated below⁵ shall be as follows:

| Specifications | For shipment to ultimate destinations | | |
|----------------------------------------------------|---------------------------------------|--------------|----------|
| | Column 1 | Column 2 | Column 3 |
| Ariz., Ark., Colo., La., N. Mex., Okla., and Texas | PAW District 1 | Other States | |
| Gasoline: | | | |
| 80-82 Oct. ASTM and Ethyl grade | 7.00 | 6.75 | 6.625 |
| 80 Oct. 1939 Research | 6.25 | 6.00 | 6.125 |
| 72-74 Oct. ASTM | 6.00 | 5.75 | 5.875 |
| 63-66 Oct. ASTM | 5.625 | 5.25 | 5.50 |
| 60-62 Oct. ASTM and below | 5.25 | 5.00 | 5.125 |

in District 1, seller may charge prices in this Table or his maximum prices under other sections of this Regulation, whichever may be higher.

¹ When loaded into barge, pipe line (see note 4), tank car, motor transport or tank wagon for shipment to ultimate destinations other than in District 1, seller may charge prices in this Table or his maximum prices under other sections of this Regulation, whichever may be higher.

² New Orleans Area means Mississippi River ports up to and including Baton Rouge.

³ Products loaded into pipe line for ultimate delivery to War Emergency Pipe Lines and into pipe lines with Petroleum Administration for War District No. 1 termini shall be considered destined for Petroleum Administration for War District No. 1.

⁴ Column 2 prices apply to all shipping points within the Shreveport area for shipments to ultimate destinations in Petroleum Administration for War District 1.

⁵ Products loaded into pipe lines for ultimate delivery to War Emergency Pipe Lines and pipe lines with Petroleum Administration for War District 1 termini shall be considered destined for Petroleum Administration for War District 1.

¹ Column 1 prices also apply to ultimate destinations in the States of Alabama, Mississippi, Tennessee, and the Counties of Cape Girardeau, Dunklin, Wayne, Pemiscot, Scott, New Madrid, Butler, Bollinger, Stoddard and Mississippi in the State of Missouri.

SEC. 4.17 *Maine.*
 SEC. 4.18 *Maryland.*
 SEC. 4.19 *Massachusetts.*
 SEC. 4.20 *Michigan*—(a) *State of Michigan except Wayne and Monroe Counties.* In the State of Michigan except in Wayne and Monroe Counties the maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District 1 shall be as follows:

| Specifications: | Cents per gallon |
|---------------------------------|------------------|
| Gasoline: | |
| 80-82 Oct. ASTM and Ethyl grade | 8.75 |
| 72-74 Oct. ASTM | 7.75 |
| 67-69 Oct. ASTM | 7.00 |
| Straight Run | 6.00 |

(b) *Wayne and Monroe Counties.* In Wayne and Monroe Counties in the State of Michigan maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District 1 shall be as follows:

¹ When loaded into pipe line (see note 4), tank car, motor transport or tank wagon for shipment to ultimate destinations other than

| Specifications: | Cents per gallon |
|---------------------------------|------------------|
| Gasoline: | |
| 80-82 Oct. ASTM and Ethyl Grade | 9.0 |
| 72-74 Oct. ASTM | 8.0 |
| 63-66 Oct. ASTM | 7.25 |
| Straight Run | 6.00 |

SEC. 4.21 Minnesota.
SEC. 4.22 Mississippi.

SEC. 4.23 Missouri—(a) *St. Louis area.* Within the City of St. Louis, Missouri and that part of the State of Missouri which is within a radius of 25 miles of St. Louis, Missouri, the maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points for shipment to ultimate destinations in Petroleum Administration for War District 1 shall be as follows:

| Specifications: | Cents per gallon |
|---------------------------------|------------------|
| Gasoline: | |
| 80-82 Oct. ASTM and Ethyl Grade | 8.00 |
| 72-74 Oct. ASTM | 7.25 |
| 63-66 Oct. ASTM | 6.875 |
| 60-62 Oct. ASTM and below | 6.50 |

SEC. 4.24 Montana—(a) *Billings tank wagon area.* Maximum tank wagon prices for gasoline shall be:

| Specifications: | Cents per gallon |
|----------------------------|------------------|
| Regular grade to dealers | 12 |
| Regular grade to consumers | 12 |
| Third grade to dealers | 11 |
| Third grade to consumers | 11 |

(b) *Butte tank wagon area.* Maximum tank wagon prices for gasoline shall be:

| Specifications: | Cents per gallon |
|----------------------------|------------------|
| Regular grade to dealers | 11.5 |
| Regular grade to consumers | 11.5 |
| Third grade to dealers | 10.5 |
| Third grade to consumers | 10.5 |

(c) *Great Falls tank wagon area.* Maximum tank wagon prices for gasoline shall be:

| Specifications: | Cents per gallon |
|----------------------------|------------------|
| Regular grade to dealers | 12 |
| Regular grade to consumers | 12 |
| Third grade to dealers | 11 |
| Third grade to consumers | 11 |

(d) *Helena tank wagon area.* Maximum tank wagon prices for gasoline shall be:

| Specifications: | Cents per gallon |
|----------------------------|------------------|
| Regular grade to dealers | 12 |
| Regular grade to consumers | 12 |
| Third grade to dealers | 11 |
| Third grade to consumers | 11 |

SEC. 4.25 Nebraska.
SEC. 4.26 Nevada.

SEC. 4.27 New Hampshire.
SEC. 4.28 New Jersey.

SEC. 4.29 New Mexico—(a) *Roswell tank wagon area.* Maximum tank wagon prices for gasoline shall be:

| Specifications: | Cents per gallon |
|----------------------------|------------------|
| Regular grade to dealers | 10 |
| Regular grade to consumers | 10 |
| Third grade to dealers | 9 |
| Third grade to consumers | 9 |

SEC. 4.30 New York.

SEC. 4.31 *North Carolina.*
SEC. 4.32 *North Dakota.*—(a) *Fargo tank wagon area.* Maximum tank wagon prices for gasoline shall be:

| Specifications: | Cents per gallon |
|--------------------------|------------------|
| Regular grade to dealers | 11.4 |

SEC. 4.33 *Ohio.*—(a) *Geneva tank wagon area.* Maximum tank wagon prices for gasoline shall be:

| Specifications: | Cents per gallon |
|----------------------------|------------------|
| Premium grade to dealers | 11 |
| Premium grade to consumers | 14 |
| Regular grade to dealers | 9.5 |
| Regular grade to consumers | 12 |
| Third grade to dealers | 9.5 |
| Third grade to consumers | 12 |

(b) *Counties of Cuyahoga, Lorain, Medina, Summit, Stark, Portage, Geauga, Lake, Ashtabula, Trumbull, Mahoning, and Columbiana.* Maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District 1 and the State of Michigan shall be as follows:

| Specifications: | Cents per gallon |
|---------------------------------|------------------|
| Gasoline: | |
| 80-82 Oct. ASTM and Ethyl grade | 8.75 |
| 72-74 Oct. ASTM | 7.75 |

(c) *Counties of Allen, Hancock, Lucas, Putnam, Wood and Licking.* Maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District 1 and the State of Michigan shall be as follows:

| Specifications: | Cents per gallon |
|---------------------------------|------------------|
| Gasoline: | |
| 80-82 Oct. ASTM and Ethyl grade | 8.75 |
| 72-74 Oct. ASTM | 7.75 |

(d) *Counties of Hamilton, Clermont, Brown, Adams, Scioto, Lawrence, Gallia and Meigs.* Maximum prices of gasoline according to the specifications listed below in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District 1 and the State of Michigan shall be as follows:

| Specifications: | Cents per gallon |
|---------------------------------|------------------|
| Gasoline: | |
| 80-82 Oct. ASTM and Ethyl grade | 8.625 |
| 72-74 Oct. ASTM | 7.625 |

SEC. 4.34 *Oklahoma.*—(a) *State of Oklahoma.* Maximum prices of gasoline, according to the specifications listed below, in bulk lots, f. o. b. refineries in the State of Oklahoma, loaded into tank cars and motor transports shall be as follows:

| Specifications: | Cents per gallon |
|-----------------------------------|------------------|
| Gasoline: | |
| 80-82 Octane ASTM and Ethyl Grade | 6.75 |
| 72-74 Octane ASTM | 6.00 |
| 63-66 Octane ASTM | 5.625 |
| 60-62 Octane ASTM and below | 5.25 |

(b) *Muskogee tank wagon area.* Maximum tank wagon prices for gasoline shall be:

| Specifications: | Cents per gallon |
|----------------------------|------------------|
| Regular grade to dealers | 7.75 |
| Regular grade to consumers | 7.75 |
| Third grade to dealers | 6.75 |
| Third grade to consumers | 6.75 |

(c) *Oklahoma City tank wagon area.* Maximum tank wagon prices for gasoline shall be:

| Specifications: | Cents per gallon |
|----------------------------|------------------|
| Regular grade to dealers | 8 |
| Regular grade to consumers | 8 |
| Third grade to dealers | 7 |
| Third grade to consumers | 7 |

(d) *Tulsa tank wagon area.* Maximum tank wagon prices for gasoline shall be:

| Specifications: | Cents per gallon |
|----------------------------|------------------|
| Regular grade to dealers | 8 |
| Regular grade to consumers | 8 |
| Third grade to dealers | 7 |
| Third grade to consumers | 7 |

SEC. 4.35 *Oregon.*
SEC. 4.36 *Pennsylvania.*—(a) *Pittsburgh, Pennsylvania.* In Pittsburgh, Pennsylvania, a refiner's maximum price for Ethyl Grade gasoline on sales in bulk lots to other refiners f. o. b. the refiner's shipping point shall be 9.9¢ per gallon, except that the maximum price on sales for shipment to ultimate destinations in Petroleum Administration for War District One outside of the Schedule "D" area, as defined in section 1.14 (n), shall be 8.7¢ per gallon.

SEC. 4.37 *Rhode Island.*
SEC. 4.38 *South Carolina.*
SEC. 4.39 *South Dakota.*
SEC. 4.40 *Tennessee.*

SEC. 4.41 *Texas.*—(a) *Texas Gulf coast ports.* Maximum prices in bulk lots f. o. b. refineries and tanker terminals.

| Specifications: | Cents per gallon |
|-------------------------------------------|------------------|
| Motor gasolines: | |
| 80-82 Oct. ASTM and Ethyl grade | 6.75 |
| 80 Oct. 1939 research, leaded (max. 2cc.) | 6.00 |
| 72-74 Oct. ASTM leaded | 5.75 |
| 68-70 Oct. ASTM unleaded | 5.75 |
| 65-67 Oct. ASTM | 5.25 |
| 60-64 Oct. ASTM | 5.00 |

(b) *At inland Texas points.* Maximum prices of gasoline according to the specifications listed below loaded into tank cars, motor transports, and pipe lines,¹ f. o. b. refineries² located in Texas

¹ When loaded into pipe line (see note 1^a), tank car, motor transport, or tank wagon for shipment to ultimate destinations other than in PAW District 1, seller may charge prices in this table or his maximum prices under other sections of this regulation, whichever may be higher.

² Products loaded into pipelines for ultimate delivery to War Emergency Pipelines and pipelines with Petroleum Administration for War District 1 termini shall be considered destined for Petroleum Administration for War District 1.

^a Column 2 prices apply to all shipping points within the designated areas for shipments to ultimate destinations in Petroleum Administration for War District 1.

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Panhandle,³ West Texas,⁴ North Texas,⁵ and East Texas,⁶ for shipment to the destinations indicated below⁷ shall be as follows:

| Specifications | For shipment to ultimate destinations | | |
|----------------------------------|----------------------------------------------------------------|-------------------|--------------|
| | Column 1 | Column 2 | Column 3 |
| | Ariz., Ark., Colo., La., N. Mex., Okla., and Texas | PAW District 1 | Other States |
| Gasoline: | | | |
| 80-82 Oct. ASTM and Ethyl Grade. | 7.00 | 6.75 | 6.625 |
| 80-Oct. 1939 Research. | 6.25 | 6.00 | 6.125 |
| 72-74 Oct. ASTM. | 6.00 | 5.75 | 5.875 |
| 68-66 Oct. ASTM. | 5.625 | 5.25 | 5.50 |
| 60-62 Oct. ASTM and below. | 5.25 | 5.00 | 5.125 |

SEC. 4.42 *Utah.*SEC. 4.43 *Vermont.*SEC. 4.44 *Virginia.*SEC. 4.45 *Washington.*SEC. 4.46 *West Virginia.*

SEC. 4.47 *Wisconsin*—(a) *Lodi tank wagon area.* Maximum tank wagon prices for gasoline shall be:

| | Cents per gallon |
|----------------------------|---------------------|
| Premium grade to dealers | 12.1 |
| Premium grade to consumers | 14.1 |
| Regular grade to dealers | 10.6 |
| Regular grade to consumers | 12.1 |
| Third grade to dealers | 10.1 |
| Third grade to consumers | 11.1 |

(b) *Madison tank wagon area.* Maximum tank wagon prices for gasoline shall be:

³ The Texas Panhandle Area comprises the Counties of Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Parmer, Castro, Swisher, Briscoe, Hall, Childress in the State of Texas.

⁴ The West Texas Area comprises the Counties of Bailey, Lamb, Hale, Floyd, Motley, Cottle, Hardeman, Foard, Cochran, Hockley, Lubbock, Crosby, Dickens, King, Knox, Yokaum, Terry, Lynn, Garza, Kent, Stonewall, Haskell, Gaines, Dawson, Borden, Scurry, Fisher, Jones, Andrews, Martin, Howard, Mitchell, Nolan, Taylor, Loving, Winkler, Ector, Midland, Glasscock, Sterling, Coke, Runnels, Coleman, Brown, Mills, Ward, Crane, Upton, Reagan, Irion, Tom Green, Concho, McCulloch, San Saba, Pecos, Terrell, Crockett, Schleicher, Sutton, Menard, Kimble, Mason, Val Verde, Edwards in the State of Texas.

⁵ The North Texas Area comprises the Counties of Wilbarger, Wichita, Clay, Montague, Cooke, Grayson, Baylor, Archer, Throckmorton, Young, Jack, Wise, Denton, Collin, Shackelford, Stephens, Palo Pinto, Parker, Tarrant, Dallas, Rockwall, Callahan, Eastland, Comanche, Erath, Hood, Somervell, Johnson, Ellis, Hamilton, Bosque, Hill, Navarro, Lampasas, Coryell, McLennan, Limestone, Freestone in the State of Texas.

⁶ The East Texas Area comprises the Counties of San Saba, Red River, Bowie, Hunt, Delta, Hopkins, Franklin, Titus, Camp, Morris, Kaufman, Van Zandt, Rains, Wood, Cass, Smith, Upshur, Marion, Gregg, Harrison, Henderson, Cherokee, Rusk, Panola, Anderson, Nacogdoches, Shelby, Houston, Angelina, Trinity, Polk, Tyler, San Augustine, Sabine, Jasper, Newton in the State of Texas.

SEC. 4.49 *Hawaii.*
SEC. 4.50 *Puerto Rico.*
SEC. 4.51 *Alaska.*
SEC. 4.52 *District of Columbia.*

ARTICLE V—FORMULAS FOR ASCERTAINING MAXIMUM PRICES

SEC. 5.1 *Published prices.* A seller's maximum price for a petroleum product of a particular grade shall be the lowest quoted price published in the October 8, 1941 issue of the National Petroleum News for a product of the same grade. Where such products are sold and prices are quoted on a delivered basis then the maximum delivered price shall be the lowest quoted delivered price so published. Where products are sold and prices are quoted on an f. o. b. shipping point basis, then the maximum f. o. b. price shall be the lowest quoted f. o. b. price so published.

Quotations in the above-named periodical for 80, 72-74, and 68-70 octane motor gasoline; for kerosene and/or No. 1 fuel, No. 2, No. 3, No. 5 and No. 6 fuel oil, as set forth on Page 42 of such publication under the heading "Atlantic Coast," except when prices quoted are specifically designated as barge prices, shall be used only in determining a seller's maximum price for such products loaded into motor transports and tank cars.

Quotations in the above-named periodical for the States of California, Oregon, Washington, Arizona and Nevada shall not be used in determining maximum prices.

If a seller's maximum price for any product covered by this regulation is established by this paragraph and if on his last sale of either of such products to a purchaser of a particular class during the 60 days prior to October 15, 1941 the seller granted a discount or discounts and the discount or discounts were stated as such in the contract of sale, or on the invoice to the purchaser, then discounts no less favorable shall be granted by the seller to all purchasers of the same class in connection with sales of the product on which the discount was granted. Deliveries pursuant to contracts of sale entered into more than 60 days prior to October 15, 1941, shall not be considered as sales for the purpose of determining discounts hereunder.

SEC. 5.2 *In accordance with price charged on specified sales in a base period*—(a) *Definition of sale.* The term "sale" as used in section 5.2 shall include (1) Sales and contracts of sale made during the period specified, (2) Deliveries made during the period specified under a contract made prior thereto, if the prices chargeable under such contract were adjustable to reflect market conditions during the said period, and (3) Deliveries to tank wagon resellers during the period specified under a contract made prior thereto if said contract provided for varying the price to the reseller in accordance with a stipulated posted or market price (or prices) at the point or points where such buyer resells.

(b) *Definition of purchaser of the same class.* "Purchaser of the same class", as

¹ For the Texas Panhandle Area Column 1 prices also apply to ultimate destinations in the Counties of Jewell, Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman, Harper, and all counties west thereof in the State of Kansas.

used in sections 5.2 and 5.3, refers to the practice adopted by the seller in setting different prices for a commodity for sales to purchasers performing different functions (for example, refiner; jobber; distributor; commercial, industrial or private consumer; service station tank car dealer; divided or undivided tank wagon dealer; etc.), or for purchasers performing the same function but located in different areas or buying in different quantities or grades or under different conditions of sale. Price is *prima facie* evidence but not conclusive evidence to be considered in determining if a purchaser belongs to a particular class; however, a lower price to a particular purchaser which was to meet competition and otherwise was inconsistent with the seller's practice in setting the same price to the particular purchaser and one or more other purchasers, shall neither result in placing the particular purchaser in a lower price class nor be considered in determining a seller's maximum price.

(c) *Maximum prices of fuel oil, fuels, gasoline and liquefied petroleum gas.* Where the maximum price for fuel oil, fuel, liquefied petroleum gas, or gasoline at a given shipping or delivery point cannot be determined under section 5.1 the maximum price for each seller at such shipping or delivery point, except as provided hereunder in paragraph (d), shall not exceed the price charged at that point by him on the last sale of the same product to a purchaser of the same class within 60 days prior to October 15, 1941. Where the product is sold on a delivered basis at a given point the maximum price shall be the price charged by the seller on the last sale of the same product to a purchaser of the same class made on a delivered basis at that point in the period specified. Where the product is sold at a given point on an f. o. b. shipping point basis the maximum price shall be the price charged by the seller on the last f. o. b. shipping point sale at that point to a purchaser of the same class in the period specified.

(d) *In the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, and in the District of Columbia.—Maximum prices of Nos. 2, 3 and 4 fuel oil according to size of delivery.* Within the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, and in the District of Columbia, any seller's maximum per gallon tank wagon price for Nos. 2, 3 and 4 distillate fuel oils at a particular point shall be his maximum per gallon tank wagon price established under provisions of sections 5.2 (c) and 6.3 of this regulation for single lot deliveries of 150 gallons or more of the product of the same grade at the

same point except that any seller shall be permitted to charge an additional amount of not more than $\frac{1}{2}$ ¢ per gallon on deliveries of less than 100 gallons.

(e) *Maximum prices for naphthas and solvents.* Where the maximum price for a naphtha or solvent cannot be determined under section 5.1 of this article the maximum price for each seller at each shipping point or delivery point shall not exceed the highest price charged at that point by him to a purchaser of the same class within the month of March 1942. Where such product is sold on a delivered basis at such point the maximum price charged shall be the highest price charged on a delivered basis at that point in the month specified to a purchaser of the same class. Where such product is sold on an f. o. b. shipping point basis the maximum price shall be the highest price charged a purchaser of the same class on an f. o. b. shipping point sale in the month specified at the same shipping point.

SEC. 5.3 *In accordance with maximum prices of other sellers at the same point.* When the maximum price at a given shipping point for any petroleum product covered by this regulation cannot be determined under sections 5.1 or 5.2 a seller's maximum price at such shipping point shall be the highest maximum price at such shipping point of any seller of the same class to a purchaser of the same class. When the maximum price at a given delivery point for any such petroleum product cannot be determined under sections 5.1 or 5.2 a seller's maximum price at the particular delivery point shall be the highest maximum delivered price at such point of a seller of the same class to a purchaser of the same class.

ARTICLE VI—INCREASES OR REDUCTIONS TO MAXIMUM PRICES DETERMINED UNDER ARTICLE V

SEC. 6.1 *On any product covered by this regulation—(a) On sales to government agencies pursuant to public bidding.* (1) A seller may charge for any petroleum product covered by this regulation on any sale thereof, pursuant to open and public bidding, to any governmental agency, whether state or Federal, or to any state or political sub-division thereof, either

(i) His own maximum price under any provision of Article V, or

(ii) The amount of the highest maximum price established or determined under this regulation for any person participating in the particular bidding for sale of the same product to the same buyer.

(2) No bid at any such bidding regardless of the amount thereof shall be deemed to conflict with any provision of this price schedule.

SEC. 6.2 *On sales of fuel oil, generally—(a) On tank wagon deliveries in rationed areas.* In any area where fuel oil rationing is required by the United States Government or any agency

thereof, the sum of .3 of a cent per gallon may be added to a maximum price determined under Article V for tank wagon deliveries of any fuel oil or heating oil including but not limited to kerosene, range oil, Nos. 1, 2, 3, 4, 5 and 6 fuel oil, diesel oil and gas oil.

(b) *On container deliveries in rationed areas.* In any area where fuel oil rationing is required by the United States Government or any agency thereof, the sum of .3 of a cent per gallon, when delivery is made in single lots of 260 gallons or less, may be added to a maximum price determined under Article V for container deliveries of any fuel oil or heating oil, including but not limited to kerosene, range oil, Nos. 1, 2, 3, 4, 5 and 6 fuel oil, diesel oil and gas oil.

(c) *In connection with free oil burner service.* Where a seller of fuel oil of Grade No. 5 or lighter was required prior to September 23, 1943 to furnish oil burner maintenance and repair services without charge in connection with the sale of such fuel oil, such seller may discontinue the giving of such free service without reducing his price for fuel oil below his maximum price as established or determined under other provisions of this price schedule. The maximum price for all sales of oil burner maintenance and repair services shall be determined in accordance with Supplementary Service Regulation No. 19.

(d) *In the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin.—On sales to certain tank wagon sellers.* Under the circumstances set forth in subparagraphs (1) and (2) below, in the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, on deliveries of kerosene and fuel oil by a supplier to a tank wagon seller whose maximum price has been increased by the provisions of section 7.4, there may be added to the supplier's maximum price, as determined under section 5.2 for a particular grade at a particular delivery point, a sum computed pursuant to the provisions of subparagraphs (1) or (2) below:

(1) If there was a contract in effect on October 1, 1941, between the supplier and such tank wagon seller, and such contract provided for varying the price of the supplier to such tank wagon seller on the basis of the tank wagon price at the particular delivery point and if such tank wagon seller's maximum price is increased but not to the normal price of the reference seller as posted on October 1, 1941, then the supplier's maximum delivered price shall be increased only when the tank wagon seller's margin would be in excess of that called for in the contract had the tank wagon seller's price been increased to normal and the extent of such increase to the supplier's maximum price shall be the amount of such excess. In computing the supplier's maximum price, the tank wagon price used in any computation herein shall be regarded as .3 of a cent less than the

¹ Except waste or re-refined lubricating oil sold for use as fuel oil.

actual maximum price of the tank wagon seller.

(2) If there was a contract in effect on October 1, 1941, as described in (1) above, and if such tank wagon seller's maximum price is increased at any point to the normal price of the reference seller as posted on October 1, 1941, then the supplier's maximum price shall be altered in accordance with the provisions of such contract. In computing the supplier's maximum price, the tank wagon price used in any computation herein shall be regarded as .3 of a cent less than the actual maximum price of the tank wagon seller.

SEC. 6.3 On sales of distillate and distillate type fuel oils—(a) *In the Eastern Seaboard area*—(1) *Within the area, generally; at all selling levels.* Except as hereunder provided in subparagraph (2), within the States of Connecticut, Delaware, Florida (except east of the Apalachicola River), Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and in the District of Columbia, an amount per gallon as indicated below may be added to a maximum price determined under Article V for any of the respective products listed below:

| Product: | Cents per gallon to be added |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| All distillate and distillate type fuel oils having a viscosity below 85 seconds Saybolt universal (at 100° F.) except kerosene, range oil and No. 1 fuel oil and including but not limited to the following: Tractor fuel, gas house oils, distillate diesel fuel oils, Nos. 2, 3, and 4 fuel oils, standard light gas oil, gas house standard light gas oil and Mirando and Mirando type crude oil when sold as No. 4 fuel oil or for other distillate fuel oil use | 1.5 |
| Kerosene, range oil and No. 1 fuel oil | 1.8 |

(2) *Within Schedule "D" area Zone 6 of Petroleum Administration for War District One.* On sales f. o. b. refineries and terminals within Schedule "D" area of Zone 6 of Petroleum Administration for War District One, as defined in section 1.14 (n), for shipment to ultimate destinations in Petroleum Administration for War District One outside of such Schedule "D" area, the maximum prices for kerosene, range oil and No. 1 fuel oil shall be the maximum prices as determined under Article V plus .3 of a cent per gallon and for all other products listed in subparagraph (1) above shall be the maximum prices as determined under Article V. If a seller's maximum price for a sale as described above was established prior to December 1, 1943, under § 1340.159 (b) (7) of Revised Price Schedule No. 88, then his maximum price shall be his said maximum price prior to December 1, 1943 less 1.5¢ per gallon.

(b) *In certain parts of the lower peninsula of Michigan—on tank wagon deliveries.* In the lower peninsula of Michigan except in the Counties of Genesee, Macomb, Washtenaw, Monroe,

Oakland and Wayne, the sum of .4 of a cent per gallon may be added to a maximum price determined under Article V for tank wagon deliveries of prime white distillate, range oil, also known as stove or heater oil, and Nos. 1, 2 and 3 fuel oil.

(c) *In the Territory of Hawaii*—(1) *On bulk sales.* At any particular shipping or delivery point in the Territory of Hawaii, the amount provided by section 22 of Maximum Price Regulation 373 and the sum of .8 of a cent per gallon may be added to a maximum price determined under section 5.2 of this regulation for bulk deliveries of any grade of gasoline, kerosene, or any fuel oil meeting Pacific Specification No. 200.

(2) *On sales of packaged stove oil or kerosene.* At any particular shipping or delivery point in the Territory of Hawaii, the amount per gallon indicated below may be added to a maximum price determined under section 5.2 for stove oil, or kerosene in packages:

| Products: | Cents per gallon to be added |
|-------------------|---------------------------------|
| Stove oil | 5.5 |
| Kerosene in cases | 6 |

SEC. 6.4 On sales of residual or residual type fuel oils—(a) *In the Eastern Seaboard area*—(1) *Within the area, generally; at all sellers' levels.* Except as provided in subparagraph (2) below and except at the refinery and ocean terminals designated in Table 1 of section 3.1 there may be added within the States of Connecticut, Delaware, Florida, (east of the Apalachicola River) Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia and the District of Columbia the sum of 30 cents per barrel to a maximum price determined under Article V for any residual or residual type fuel oils having a viscosity of 85 seconds Saybolt Universal (at 100° F.) and above including but not limited to Nos. 5 and 6 fuel oils, bunker C, Navy grade, residual and diesel fuel oils, residuum gas oil, heavy gas oil, heavy gas enrichment oil, gas house heavy oil, N. E. gas enrichment oil, S. W. gas oil, Admiralty fuel oil, Navy special fuel oil, Mirando and Mirando type crude when sold as No. 5 or other residual fuel oil or as a heavy gas enrichment oil.

(2) *Within Schedule "D" area of Zone 6 of Petroleum Administration for War District One.* On sales f. o. b. refineries and terminals within the Schedule "D" area of Zone 6 of Petroleum Administration for War District One, as defined in section 1.14 (n) of this regulation, for shipment to ultimate destinations in Petroleum Administration for War District One outside of such Schedule "D" area, the maximum prices for the products designated in and for the sellers covered by subparagraph (1) above shall be the maximum prices as determined under Article V or Article VIII.

(b) *In the States of Washington and Oregon—Navy Grade Special Fuel Oil.* At any particular shipping or delivery point in the States of Washington or

Oregon the sum of 25 cents per barrel may be added to a maximum price determined under Article V for deliveries of Navy Grade Special Fuel Oil.

(c) *In Petroleum Administration for War District Five.* In PAW District Five the sum of 25 cents per barrel may be added to a maximum price determined under Article V for deliveries of residual fuel oil having a viscosity of not less than 18 and not more than 60 seconds Saybolt Furol (122° F.) and otherwise meeting the specifications of Pacific Standard No. 300 fuel oil and of residual fuel oil having a viscosity of not less than 60 seconds Saybolt Furol (122° F.) and otherwise meeting the specifications of Pacific Standard No. 400 fuel oil.

(d) *In the Territory of Hawaii*—(1) *On bulk sales.* At any particular shipping or delivery point in the Territory of Hawaii the amount provided by section 22 of Maximum Price Regulation 373 and the sum of 56 cents per 42 gallon barrel may be added to a maximum price determined under section 5.2 of this regulation for bulk deliveries of Pacific Specification No. 300 fuel oil or Pacific Specification No. 400 fuel oil.

SEC. 6.5 On sales of gasoline—(a) *In the Eastern Seaboard area*—(1) *Within the area, generally; at all selling levels.* Except as hereunder provided in subparagraph (3), within the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, the District of Columbia and the corporate limits of Bristol, Tennessee, the sum of 1.2 cents per gallon may be added to a maximum price determined under Article V for deliveries of gasoline in the above states and city and the District of Columbia.

(2) *In the State of Florida (east of the Apalachicola River); at all selling levels.* Within the State of Florida (east of the Apalachicola River) the sum of .9 of a cent per gallon may be added to a maximum price determined under Article V for deliveries of gasoline.

(3) *Within Schedule "D" area of Zone 6 of Petroleum Administration for War District One.* On sales f. o. b. refineries and terminals within Schedule "D" area of Zone 6, as defined in section 1.14 (n) of this regulation, for shipment to ultimate destinations in Petroleum Administration for War District One outside of such Schedule "D" area, the maximum price for gasoline shall be the maximum price as determined under Article V. If a seller's maximum price for a sale as described above was established prior to December 1, 1943 under § 1340.159 (b) (7) of Revised Price Schedule No. 88 then his maximum price shall be his said maximum price prior to December 1, 1943 less 1.2¢ per gallon.

(b) *In the Territory of Puerto Rico—at all selling levels.* In the Territory of Puerto Rico on deliveries to all purchasers other than the U. S. Government, its agencies or instrumentalities, when purchased for their exclusive use, the sum

of .3 of a cent per gallon may be added to a maximum price determined under Article V for deliveries of gasoline.

SEC. 6.6. *On sales of liquefied petroleum gas*—(a) *In the Territory of Hawaii—on sales in packages.* At any particular delivery or shipping point in the Territory of Hawaii, the sum of .5 of a cent per pound may be added to a maximum price determined under section 5.2 for liquefied petroleum gas when sold in packages.

SEC. 6.7 *On sales of naphthas and solvents*—(a) *In the Territory of Hawaii—on sales in packages.* At any particular delivery or shipping point in the Territory of Hawaii, the sum of 3.5 cents per gallon may be added to a maximum price determined under section 5.2 for a particular solvent or naphtha, when sold in packages.

ARTICLE VII—MAXIMUM TANK WAGON PRICES DETERMINED IN ACCORDANCE WITH REFERENCE SELLER'S PRICES

SEC. 7.1 *Notice by tank wagon sellers.* Any tank wagon seller of gasoline, kero-

sene, range or stove oil, distillate fuel oils, tractor and diesel fuel, whose maximum price to a retail dealer pursuant to this Article VII is increased shall notify each retail dealer in writing on or before the date of the initial sale to such dealer after February 13, 1943, that the retail dealer's maximum price for said products at his retail establishment is increased by the amount of such increase in the tank wagon seller's maximum price. Such notice shall be in the following form:

Your new Office of Price Administration ceiling price for (product) at your retail establishment is your former ceiling price plus —¢ per gallon. The Office of Price Administration requires you to keep this information for examination.

SEC. 7.2 *Designated reference sellers.* The companies hereinafter named are the reference tank wagon sellers for any point in the Continental United States, in the state, states or districts set out opposite the name of the company: *Provided*, That such company has an applicable maximum price for such point:

For any point in the State of:

| | <i>Reference tank wagon sellers</i> |
|----------------------|-------------------------------------|
| Alabama | Standard Oil Company of Kentucky. |
| Arizona | Standard Oil Company of California. |
| Arkansas | Standard Oil Company of Louisiana. |
| California | Standard Oil Company of California. |
| Colorado | Continental Oil Company. |
| Connecticut | Socony-Vacuum Oil Company, Inc. |
| Delaware | The Atlantic Refining Company. |
| District of Columbia | Standard Oil Company of New Jersey. |
| Florida | Standard Oil Company of Kentucky. |
| Georgia | Standard Oil Company of Kentucky. |
| Idaho | Continental Oil Company. |
| Illinois | Standard Oil Company of Indiana. |
| Indiana | Standard Oil Company of Indiana. |
| Iowa | Standard Oil Company of Indiana. |
| Kansas | Standard Oil Company of Indiana. |
| Kentucky | Standard Oil Company of Kentucky. |
| Louisiana | Standard Oil Company of Louisiana. |
| Maine | Socony-Vacuum Oil Company, Inc. |
| Maryland | Standard Oil Company of New Jersey. |
| Massachusetts | Socony-Vacuum Oil Company, Inc. |
| Michigan | Standard Oil Company of Indiana. |
| Minnesota | Standard Oil Company of Indiana. |
| Mississippi | Standard Oil Company of Kentucky. |
| Missouri | Standard Oil Company of Indiana. |
| Montana | Continental Oil Company. |
| Nebraska | Standard Oil Company of Nebraska. |
| Nevada | Standard Oil Company of California. |
| New Hampshire | Socony-Vacuum Oil Company, Inc. |
| New Jersey | Standard Oil Company of New Jersey. |
| New Mexico | Continental Oil Company. |
| New York | Socony-Vacuum Oil Company, Inc. |
| North Carolina | Standard Oil Company of New Jersey. |
| North Dakota | Standard Oil Company of Indiana. |
| Ohio | Standard Oil Company of Ohio. |
| Oklahoma | Continental Oil Company. |
| Oregon | Standard Oil Company of California. |
| Pennsylvania | Atlantic Refining Company |
| Rhode Island | Socony-Vacuum Oil Company, Inc. |
| South Carolina | Standard Oil Company of New Jersey. |
| South Dakota | Standard Oil Company of Indiana. |
| Tennessee | Standard Oil Company of Louisiana. |
| Texas | The Texas Company. |
| Utah | Continental Oil Company. |
| Vermont | Socony-Vacuum Oil Company, Inc. |
| Virginia | Standard Oil Company of New Jersey. |
| Washington | Standard Oil Company of California. |
| West Virginia | Standard Oil Company of New Jersey. |
| Wisconsin | Standard Oil Company of Indiana. |
| Wyoming | Continental Oil Company. |

SEC. 7.3 *Consumers tank wagon prices*—(a) *In the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut and New York—Use of reference seller's maximum prices required.* Where deliveries are made within the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut and New York, any seller's maximum price for tank wagon and returnable steel barrel deliveries of motor gasoline to a consumer of any class other than a governmental agency shall be as follows:

(1) For tank wagon deliveries in single lots of 200 gallons or more to a purchaser whose semi-annual requirements, as hereinafter defined, for bulk delivery are:

(i) 10,000 gallons and up to 60,000 gallons the maximum commercial consumer's tank wagon price, as determined under other provisions of this price regulation, of the reference tank wagon seller.

(ii) Under 10,000 gallons one-half cent ($\frac{1}{2}\text{¢}$) per gallon in addition to the maximum price established under (i).

(iii) 60,000 gallons or more one-quarter cent ($\frac{1}{4}\text{¢}$) per gallon less than the maximum price established under (i).

(2) For tank wagon deliveries in single lots of less than 200 gallons, one cent (1.0¢) per gallon in addition to the maximum price to the same purchaser as established under (1).

(3) For returnable steel barrel deliveries, three cents (3¢) per gallon in addition to the maximum price to the same purchaser as established under (1).

(b) *In the States of New Jersey, Pennsylvania, Delaware, Maryland, Virginia and the District of Columbia—use of reference seller's maximum price required.* Where deliveries are made within the States of New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia, any seller's maximum price for tank wagon and returnable steel barrel deliveries of motor gasoline to a consumer of any class other than a governmental agency shall be as follows:

(1) For tank wagon deliveries in single lots of 200 gallons or more to a purchaser whose semi-annual requirements for all grades of motor gasoline as hereafter defined for bulk delivery are:

(i) Under 60,000 gallons, the maximum commercial consumer's tank wagon price of the reference seller for the particular grade of gasoline in the tank wagon area of the reference seller where delivery is made, as such price is determined under other provisions of this price regulation.

(ii) 60,000 gallons and more, the maximum price as established under (i) less $\frac{3}{4}$ of a cent per gallon or the maximum price as established under (i) less an amount equal to the largest difference, if any, per gallon, between the net price charged and the undivided dealer tank wagon price of the reference seller for such grade of gasoline on any tank wagon delivery to the purchaser from any supplier during March 1941 in such area, whichever price is higher.

(2) For tank wagon deliveries in single lots of less than 200 gallons, one cent (1.0¢) per gallon in addition to the maximum price to the same purchaser as established under (1).

(3) For returnable steel barrel deliveries, two cents (2.0¢) per gallon in addition to the maximum price to the same purchaser as established under (1).

(c) *Method of computing a consumer's semi-annual requirements—proof of his eligibility for allowances.* For the purpose of section 7.3, a consumer's semi-annual requirements of motor gasoline shall be the sum of all lawful ration allotments for bulk delivery only, converted to semi-annual basis, in effect to a given consumer as of January 1 for the first six months and July 1 for the last six months of any calendar year.

As proof of such semi-annual requirements it shall be the responsibility of the purchaser eligible for and claiming any allowance hereinabove provided to deliver to the seller an affidavit stating his semi-annual requirements for all grades of motor gasoline as above computed. Moreover, it shall be the responsibility of a purchaser claiming an allowance as provided by inferior subdivision (b) (1) (ii) above to deliver to the seller a copy of a relevant March 1941 invoice as proof of the eligibility of the purchaser to an allowance provided by such inferior subdivision or an affidavit setting forth the facts that would entitle him to an allowance. As soon as the necessary paper or papers have been delivered to the seller, the purchaser shall be entitled on any subsequent delivery to the allowance for which he is eligible under the provisions hereinabove made.

SEC. 7.4 *In the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota and Wisconsin—products for which use of reference seller's maximum prices are required—(a) Maximum tank wagon prices.* A seller's maximum tank wagon price for a particular grade of gasoline, kerosene, range or stove oil, distillate fuel oil, diesel fuel, or tractor fuel, at a particular point in any of the States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, or Wisconsin shall be either the reference tank wagon seller's normal price, as posted on October 1, 1941, for the same grade of the particular product at the same point or the sum of said reference seller's maximum tank wagon price for such product at the same point as established under other provisions of this regulation and .7¢ per gallon, whichever is the lower, except that in the case of tractor fuel if a tank wagon seller's maximum price as determined under other provisions of this regulation is higher than such maximum price shall remain in effect.

If the reference seller has no established maximum price at a particular point for a particular grade of any of the products named above, then a tank wagon seller's maximum price shall be his maximum price as determined by other provisions of this Regulation.

SEC. 7.5 *In States other than those covered by section 7.4—Use of reference*

seller's maximum prices optional. A seller's maximum tank wagon price, in states other than those named in section 7.4, for a particular grade of gasoline, kerosene, range or stove oil, distillate fuel oils, and tractor and diesel fuel shall be the maximum price as determined under other provisions of this regulation of the reference tank wagon seller for the same grade at the same point: *Provided*, The reference tank wagon seller's maximum price is higher than the maximum price which would otherwise be applicable.

ARTICLE VIII—MAXIMUM PRICES TO BE ESTABLISHED UPON APPLICATION

SEC. 8.1 *Continuing effectiveness of certain maximum prices heretofore approved under § 1340.159 (b) (7) or (b) (16) of Revised Price Schedule No. 88.* If a maximum price for a product at a given shipping or delivery point cannot be established under any preceding article of this regulation and if a maximum price for the product at the particular point was heretofore approved for the seller under § 1340.159 (b) (16) or § 1340.159 (b) (7) of Revised Price Schedule No. 88, then such approval shall be deemed to continue in full force and effect as if granted under section 8.2 or 8.3 below.

SEC. 8.2 *For waste or re-refined lubricating oil sold for use as fuel oil.* When waste lubricating oil or re-refined lubricating oil is sold for use as fuel oil, a seller may not charge and a buyer may not pay a price therefor until a maximum price has been approved in writing by the Office of Price Administration. Applications for such approval must be made in writing to the Petroleum Branch of the Office of Price Administration, Washington, D. C., and shall contain the same information as is required for an application under section 8.3 below.

SEC. 8.3 *For all other products covered by this regulation.* (a) If under any preceding section of this regulation a seller is unable to determine the maximum price at a given shipping or delivery point for any product covered by this regulation then the seller may nevertheless make a sale of such product at the said point or may notify the Office of Price Administration in writing that he has set a tentative maximum price for the product at the said shipping or delivery point. In giving notice of the setting of such tentative maximum price or within 15 days of the making of the said sale, the seller shall file with the Petroleum Branch of the Office of Price Administration, Washington, D. C., a written request for the approval of either the tentative or sale price and together with such request a statement setting forth:

(1) Such tentative or sale price and in the latter case, full details of the sale;

(2) An explanation as to why it is impossible for the seller to establish a selling price under preceding articles of this regulation;

(3) Whenever applicable that the price set or charged by him is in line with the level of maximum prices for the three most closely competitive sellers of his

same class and his own maximum price for the same product at three other points nearest the point at which the tentative price is set;

(4) Whenever subparagraph (3) is not applicable, an explanation, supplemented by specifications as to how the particular product differs from the two products having the most nearly similar specifications for which maximum prices are established under preceding articles of this schedule, the maximum prices of such products and a statement showing a computation of the cost to the seller¹ of the particular product and how that differs from the cost to him of the two products having the most nearly similar specifications.

Such tentative or sale price shall be the seller's maximum price at the particular shipping point or delivery point for the particular product until the said price is disapproved in writing by the Office of Price Administration or until the seller is notified in writing that a substitute maximum price has been set by the Office of Price Administration. Either an approved tentative or sale price or a substitute maximum price set by the Office of Price Administration may be replaced by another maximum price upon written notice to the seller from the Office of Price Administration.

(b) If a seller shall fail to report a sale as required by paragraph (a) above the Office of Price Administration may at any time upon written notice to the seller establish his maximum price for the particular product at the particular point effective retroactively to a date 15 days after the making of the said sale.

Effective date. This regulation shall become effective February 19, 1944 as to the 48 states and the District of Columbia and April 4, 1944 as to the territories and possessions, except the Panama Canal Zone.

Note: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 14th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2187; Filed, February 15, 1944;
9:04 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 114,² Amdt. 9]

WOODPULP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

¹ Where the product or any component thereof has been purchased by the applicant and the sale of such product to the applicant was exempted from price control the cost data submitted must show the cost of such product to the original producer thereof rather than the cost to the applicant.

² 7 F.R. 2843, 3576, 5059, 5564, 8997, 8948; 8 F.R. 321, 2334, 8877, 10588.

has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 114 is amended in the following respects.

1. The table in Appendix A (a) (1) is amended to read as follows:

Maximum Prices Applicable to Wood-pulp Delivered to Consumers Mills Located East of the Continental Divide Exclusive of Denver, Colorado.

| | |
|---------------------------------|---------|
| Bleached softwood sulphite | \$86.00 |
| Unbleached softwood sulphite | 74.00 |
| Bleached hardwood sulphite | 83.50 |
| Unbleached hardwood sulphite | 71.50 |
| Northern bleached sulphite | 86.00 |
| Southern bleached sulphite | 79.00 |
| Northern semi-bleached sulphite | 82.00 |

| | |
|---------------------------------------------------|---------|
| Southern semi-bleached sulphite | \$75.00 |
| Northern unbleached sulphite | 73.00 |
| Southern unbleached sulphite | 63.50 |
| Bleached soda pulp | 72.00 |
| Unbleached soda pulp | 68.00 |
| Groundwood pulp | 50.00 |
| Groundwood pulp—paper machine dried and mutilated | 53.00 |
| Sulphite screenings | 43.50 |
| Sulphate screenings | 38.00 |
| Groundwood screenings | 32.00 |
| Northern unbleached sulphite side-runs | 73.00 |
| Southern unbleached sulphite side-runs | 63.50 |
| Standard newsprint sideruns | 50.00 |

2. The table in Appendix A (b) (1) is amended to read as follows:

| | Producing area | | | |
|---------------------------------|----------------|--------------|----------|------------|
| | Northeast | Lake Central | Southern | West Coast |
| Bleached softwood sulphite | \$80.00 | \$80.00 | \$78.00 | \$74.00 |
| Unbleached softwood sulphite | 68.00 | 68.00 | 68.00 | 63.00 |
| Bleached hardwood sulphite | 77.50 | 77.50 | 75.50 | 74.00 |
| Unbleached hardwood sulphite | 65.50 | 65.50 | 63.50 | 63.50 |
| Northern bleached sulphite | | | | |
| Southern bleached sulphite | | | | |
| Northern semi-bleached sulphite | | | 71.00 | 70.00 |
| Southern semi-bleached sulphite | | | 67.00 | 61.00 |
| Northern unbleached sulphite | | | 55.50 | 55.50 |
| Southern unbleached sulphite | | | 64.00 | 64.00 |
| Bleached soda | 66.00 | 66.00 | 64.00 | 64.00 |

This amendment No. 9 to Maximum Price Regulation No. 114 shall become effective February 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2186; Filed, February 15, 1944; 9:04 a. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND AD-MIXTURES

[MPR 508, Correction]

RAYON KNIT FABRICS AND THE KNITTING THEREOF

The reference to "section 22 (d)" in the last sentences of sections 15 (b), 16 (b) and 20 (d) of Maximum Price Regulation No. 508 is corrected to read "section 22 (e)".

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 14th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2185; Filed, February 15, 1944; 9:03 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[10th Rev. Zoning Order 1 under Rev. RO 3,
Amdt. 1]

ORDER ESTABLISHING ZONES

The Tenth Revised Zoning Order No. 1 is amended in the following respects:

*Copies may be obtained from the Office of Price Administration.
19 F.R. 1433, 1554.

(7) From Zone 12 to any point in Zones 9A or 11.

6. Section 1407.281 (d) is revoked.

7. Section 1407.281 (f) is amended to read as follows:

(f) Any carrier who has, prior to the effective date of this Tenth Revised Zoning Order No. 1, accepted sugar for a delivery, shipment, or transfer not at that time prohibited by §§ 1407.281 and 1407.168 may complete such delivery, shipment, or transfer after the effective date of this Tenth Revised Zoning Order No. 1.

This Amendment No. 1 to the Tenth Revised Zoning Order No. 1 shall become effective February 14, 1944.

(Pub. Law 421, 77th Cong., Executive Order 9125, 7 F.R. 2719; Executive Order 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005; Food Dir. 8, 8 F.R. 7093; Sec. 1407.168 of Revised Ration Order 3)

Issued this 14th day of February 1944.

WALTER F. STRAUB,
Director, Food Rationing Division.

[F. R. Doc. 44-2170; Filed, February 14, 1944; 11:46 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 94]

COTTON WAREHOUSING SERVICES IN DESIGNATED SOUTHERN STATES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Subdivision (iv) of section 8.2 (b) (6), of Revised Supplementary Regulation No. 14 is amended to read as follows:

(iv) In Alabama, Florida, Georgia, North Carolina, South Carolina, and Virginia. On and after February 14, 1944 and until and including July 31, 1944, cotton warehousemen in the states of Alabama, Florida, Georgia, North Carolina, South Carolina and Virginia may charge, for the services of storing, receiving, handling, and compressing cotton and for miscellaneous services in connection with the warehousing of cotton, their maximum prices established by § 1499.2 and Amendments 14 and 40 to Supplementary Regulation No. 14 (now designated as section 8.2 (b) (1) to (5), inclusive, of Revised Supplementary Regulation No. 14), plus a surcharge in the amount of 20%.

This amendment shall become effective February 14, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2184; Filed, February 15, 1944; 9:03 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5¹ Amdt. 46]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. Section 1.2 (b) is amended by inserting the words "such as a particular plant" after the words "fixed location" in the parenthetical statement in that section.

2. Section 2.1 is amended by substituting the word "six" for the word "three" in the title.

3. Section 2.1 (a) is amended to read as follows:

(a) Institutional user establishments are divided into six groups:

(1) A "pooled book" group, called Group I;

(2) An "involuntary confinement" group, called Group II;

(3) A "general group", called Group III;

(4) An "on the job feeding" group, called Group IV;

(5) A "hospital" group, called Group V;

(6) A "child feeding and school lunch" group, called Group VI.

3a. Section 2.2 (b) is amended by adding the following sentence at the end thereof: "Any other establishments which meet the above tests are in Group I, even if they also meet the tests for Group IV, V, or VI."

4. Section 2.3 (a) is amended by adding the following parenthetical sentence at the end thereof: "(Public and private orphanages are included in Group II.)"

5. Section 2.4 (a) is amended to read as follows:

(a) All institutional user establishments not covered by sections 2.2, 2.3, 2.5, 2.6 or 2.7 are in Group III.

6. Section 2.5 is redesignated section 2.8, and a new section 2.5 is added to read as follows:

SEC. 2.5 Group IV establishments and users. (a) An institutional user establishment is in Group IV if it is operated by an employer, or by his employees or their representatives, principally for the purpose of feeding those employees in connection with their work. An institutional user establishment is also in Group IV if it is operated (by anyone) principally for the purpose of feeding employees of another person pursuant to a contract and if ninety percent (90%) or more of its services of food regularly are to the employees covered by that contract.

(b) Any institutional user who has an establishment in Group IV is called a Group IV institutional user with respect to that establishment.

*Copies may be obtained from the Office of Price Administration.

¹8 F.R. 10002, 11480, 11479, 12483, 12557, 12403, 12744, 14472.

7. Section 2.6 is added to read as follows:

SEC. 2.6 Group V establishments and users. (a) A hospital or other establishment principally engaged in the care and treatment of the sick is in Group V. (However, a hospital or similar establishment which is part of a prison, insane asylum, home for delinquents or other institution of involuntary confinement, or of a public or private orphanage, is in Group II.)

(b) Any institutional user who has an establishment in Group V is called a Group V institutional user with respect to that establishment.

8. Section 2.7 is added to read as follows:

SEC. 2.7 Group VI establishments and users. (a) An institutional user establishment is in Group VI if it is operated at a school, child care center, children's camp or similar establishment and if ninety percent (90%) or more of the services of food there are to children of 18 years or less.

(b) Any institutional user who has an establishment in Group VI is called a Group VI institutional user with respect to that establishment.

8a. Section 3.5 is amended to read as follows:

SEC. 3.5 Re-registration of certain establishments. (a) An institutional user who combined in a single registration establishments which, beginning March 1, 1944, are in more than one group as a result of the provisions of Article II, as amended, shall re-register those establishments, according to their groups, when he next applies for allotments after February 29, 1944. He shall file with the Board additional OPA Forms R-1307 and R-1307 Supplement, giving the information called for by those forms separately for each group of establishments. Any remaining excess inventory of the originally combined establishments may be apportioned among the establishments as re-registered, in such proportion as he chooses.

9. The title of Article V is amended to read as follows: "Article V—Allotments for Groups II, III, IV, V and VI users".

10. Section 5.1 is amended to read as follows:

SEC. 5.1 Institutional users (other than Group I users) are entitled to allotments. (a) Institutional users are entitled to allotments of rationed foods for establishments in Groups II, III, IV, V and VI. (A Group I user is not entitled to allotments of rationed foods and the provisions of this order dealing with allotments do not apply to him except where specific provision is made for him.)

11. Section 5.2 (a) is amended by deleting the words "Groups II and III" in the first sentence of that section.

12. Section 5.3 is amended by deleting the words "Groups II and III" and substituting in place thereof the word "institutional" in the headnote of that section.

13. Section 5.3 (a) is amended by deleting the words "in Group II or III" in the first sentence of that section, and by changing the words "in these groups" to read "other than a Group I user" in the first sentence of the parenthetical statement of that section.

14. Section 5.3 (b) is amended to read as follows:

(b) Applications for allotments are to be made to the Board, in person or by mail, during the first fifteen (15) days of each allotment period, on OPA Form R-1309 (Revised). However, applications for the March-April 1944 period may be made during the first thirty (30) days of that period. An institutional user who will be in Group IV, V or VI because of the provisions of Article II, shall be classified in one of these groups when he applies for allotments for the March-April 1944 period. He shall submit together with his Form R-1309 (Revised) information showing that he is within one of those groups. (Applications for supplemental allotments may, however, be made at the times and under the conditions specified in Article XI.)

15. Section 5.4 is amended by deleting the words "Group II or III" in the title.

16. Section 5.4 (a) is amended by deleting the words "Group II or III" in the first sentence of that section.

17. Sections 5.4 (c) and 5.4 (d) are amended to read as follows:

(c) Each future allotment of a rationed food shall be equal in amount to the institutional user's last regular allotment. (For example, on May 1, 1944, an applicant applies for a regular allotment of sugar for May and June and a future allotment for July and August. If his allotment for May and June is 500 pounds, the Board may grant an allotment of an additional 500 pounds for July and August.)

(d) When an applicant who has received a future allotment next applies for a regular allotment, the Board shall compute the regular allotment which he would have received for the allotment period covered by the future allotment. If the amount of the future allotment exceeds the amount of that regular allotment, the difference shall be deducted from the allotment for which he is applying. If the amount of the future allotment is less than the amount of the regular allotment which he would have been entitled to receive, the difference shall be added to the allotment for which he is applying.

18. Section 5.5 is amended by changing the word "food" to read "meals" in paragraphs (a) (4), (a) (6), (a) (8), and (d) and by adding a paragraph (f) to read as follows:

(f) The terms "meal" and "meal service" are used in this Order for convenience to cover any service of food other than a service of a refreshment only. This term "food", when used alone, covers all food items and includes both meals and refreshments. OPA Forms R-1307 Supplement and R-1309 (Re-

vised) use the terms "food services" and "persons served food". These terms, for the purposes of this Order, have the same meaning as "meal services" and "persons served meals".

19. Section 5.6 is amended by adding the following note after paragraph (c) of that section:

NOTE: Some Group III users referred to in this section and in section 5.5 are changed to Group IV, V or VI users, effective March 1, 1944. However, the provisions of sections 5.5 and 5.6 apply to them despite the change in groupings.

20. Section 6.1 (a) is amended by deleting the first sentence of that section and substituting in place thereof the following sentence:

(a) An institutional user's allotment for establishments in Group II is based on the total number of persons he served there.

21. Section 6.2 is amended to read as follows:

SEC. 6.2 Computation of allotments.

(a) The allotment of each rationed food for each allotment period shall be computed by multiplying the total number of persons served during the preceding allotment period by the allowance per person fixed for that food.

22. Section 6.3 is revoked.

23. The title of Article VII is amended to read as follows "Article VII—Computation of allotments for Group III, IV, V, and VI users".

24. Section 7.1 is amended to read as follows:

SEC. 7.1 Group III, IV, V and VI users have a separate "base" for each rationed food for meals and for services of refreshments only. (a) An institutional user has a base for each rationed food for "meal services" and a separate base for "services of refreshments only", for his establishments in Groups III, IV, V and VI.

(b) His base for meal services is determined in the following way:

(1) The amount of each rationed food used there during December 1942 for meal services is multiplied by the "December use factor" fixed for that food by the Office of Price Administration as set forth in a supplement to this order. (For the purpose of determining the base, canned milk shall be excluded from, and all cheeses except cottage, pot and bakers', shall be included in, foods covered by Ration Order No. 16);

(2) The number of persons served meals there during December 1942, is multiplied by the "allowance per person" fixed for that rationed food by the Office of Price Administration, as set forth in a supplement to this order;

(3) The smaller of the two figures obtained under (1) and (2) above is his "base" for meal services for that rationed food.

(4) The applicable "December use factor" and "allowance per person" in (1) and (2) above depend upon the percentage of bread, rolls, doughnuts and crullers, pies, cakes, and pastries he served there during December 1942, that he him-

self baked for such service during that month. The tests for determining the factor and the allowance per person that are to be applied appear in a supplement to this order.

(c) His base for services of refreshments only is determined by multiplying the amount of each rationed food used there during December 1942 for services of refreshments only, by the refreshment factor for that food, as set forth in a supplement to this order. (For the purpose of determining the base canned milk shall be excluded from, and all cheeses except cottage, pot and bakers', shall be included in foods covered by Ration Order No. 16.)

(d) In counting the number of persons served, anyone who was served more than once is to be counted separately for each occasion he was served. (For example, a person who was served on 30 separate occasions is to be counted as if he were thirty (30) persons.)

(e) In counting the number of persons served and in determining the amount of rationed food used during December 1942, services to Army, Navy, Marine Corps or Coast Guard personnel messed under the command of a commissioned or non-commissioned officer, who were served pursuant to written contract with an agency of the United States, are not to be included.

(f) The amount of sugar used is figured in pounds. The amount of processed foods and foods covered by Ration Order 16 used is figured in points and their point value is to be computed in the same way as the point value of the opening inventory of processed foods and foods covered by Ration Order 16. (This computation is covered by sections 3.2 (f) and 3.6 (b).)

(g) Whenever the December use factor, the allowance per person or the refreshment factor for a rationed food is changed, the base for that food of any institutional user affected by the change shall be recomputed when he next applies for his regular allotment. The recomputed base shall be treated as his base for all purposes.

25. Section 7.2 is amended to read as follows:

SEC. 7.2 Institutional users who discontinue baking operations. (a) An institutional user whose bases for meal services were computed by using the higher factors and allowances for baking operations fixed in the supplement to the order, may, during the March-April 1944 period, or during a subsequent period, cease to bake the percentages of the baked goods that he uses necessary to qualify for those factors and allowances, as set forth in the supplement. If he ceases, his bases for meal services shall be recomputed when he next applies for regular allotments, by using the lower factors and allowances fixed in the supplement for those who did not do enough baking to qualify.

26. Section 7.3 is amended to read as follows:

SEC. 7.3 Computation of meal service allotments for Group III users who charge. (a) If an institutional user

charges for meal services and did charge during the month used in determining his base, his allotment of each rationed food for meal services for his establishments in Group III, is determined by comparing his volume of business during December 1942 with his volume during the preceding period.

(b) If the number of persons served meals during the preceding period is less than twice the number of persons he served meals in December 1942, his allotment of a rationed food for meal services is computed in the following way:

(1) The number of persons he served meals during the preceding period is divided by the number he served meals in December 1942;

(2) The figure so obtained is multiplied by his meal service base for that food;

(3) The result is his allotment for meal services.

(c) If the number of persons he served meals and his dollar revenue from meal services during the preceding period are both more than twice his corresponding figures for December 1942, his allotment of a rationed food for meal services is computed in the following way:

(1) The number of persons served meals during the preceding period is divided by the number he served meals in December 1942;

(2) His dollar revenue from meal services during the preceding period is divided by his dollar revenue from meal services in December 1942;

(3) The smaller of the two figures obtained under (1) and (2) above is multiplied by his meal service base for that food;

(4) The result is his allotment for meal services.

(d) In all other cases, his allotment for meal services is twice his meal service base for each rationed food.

(e) In counting the persons served and determining his dollar revenue, service to Army, Navy, Marine Corps or Coast Guard personnel messed under the command of a commissioned or non-commissioned officer who were served pursuant to written contract with an agency of the United States is not to be included.

(f) Where an institutional user makes a combined charge for food and lodging or other services, his dollar revenue is computed by determining how much of the total charge reasonably covers the service of food and non-alcoholic beverages. (However, if the combined charge covers entertainment that part of the charge is included in the dollar revenue.) If a determination has been made under any maximum rent regulation of the Office of Price Administration of the part of the total charge which is for rent, that determination shall be used for the purpose of this paragraph.

27. Section 7.4 is amended to read as follows:

SEC. 7.4 Computation of meal service allotments for Group III users who do not charge. (a) If a Group III institutional user does not charge for meal services, or did not charge during the month used in determining his base, his allotment of each rationed food for meal

services for his establishments in Group III, is twice his meal service base for that food. However, if the number of persons he served meals during the preceding period is less than twice the number he served meals in December 1942, his allotment of a rationed food for meal services is computed in the following way:

(1) The number of persons he served meals during the preceding period is divided by the number of persons he served meals in December 1942;

(2) The figure so obtained is multiplied by his meal service base for that food;

(3) The result is his allotment for meal services.

NOTE: A Group III institutional user may not, under this section, obtain an increased allotment for a Group III establishment which made no charge for meal services.

28. Section 7.5 is redesignated section 7.7, section 7.6 is redesignated section 7.8, and a new section 7.5 is added to read as follows:

SEC. 7.5 Commutation of refreshment service allotments for all Group III users. (a) A Group III institutional user's allotment of each rationed food for services of refreshments only is computed by multiplying his refreshment base by a multiplier fixed for that food in a supplement to this order. (The meal and refreshment allotments, once obtained, are treated as a single allotment.)

29. A new section 7.6 is added to read as follows:

SEC. 7.6 Commutation of meal and refreshment service allotments for Group IV, V and VI users. (a) An institutional user's allotment of each rationed food for meal services for establishments in Group IV, V or VI is computed in the following way:

(1) The number of persons he served meals during the preceding period is divided by the number he served meals during December 1942;

(2) The figure so obtained is multiplied by his meal service base for that food;

(3) The result is his allotment for meal services.

(b) An institutional user's allotment of each rationed food for services of refreshments only for his establishments in Group IV, V or VI is computed by multiplying his refreshment base by a multiplier fixed for that food in a supplement to this order. (The meal and refreshment allotments, once obtained, are treated as a single allotment.)

30. Section 8.1 is amended to read as follows:

SEC. 8.1 Institutional users who operated during only part of December 1942. (a) If an institutional user operated his establishment for only part of December 1942 the figures which determine his bases and allotments are to be converted to a full December basis in the following way:

(1) Each of his figures for December 1942 is divided by the number of days

he operated or was open for business during that month;

(2) Each result is multiplied by the number of days he would have operated or would have been open for business during December 1942 if it had been a normal month of operation;

(3) The figures so obtained are treated as his figures for December 1942, for all the purposes of this order, just as if those were his actual figures.

31. Section 8.2 is amended to read as follows:

SEC. 8.2 Institutional users who did not operate in December 1942. (a) If an institutional user did not operate his establishment during any part of December 1942 but did so at any time between January 1, 1942 and February 28, 1943, the figures which determine his bases and allotments are taken from his most recent period of operations instead of December 1942.

(b) His bases and allotments are to be determined from his figures for his last full calendar month of operation between January 1, 1942 and February 28, 1943. If he did not operate for a full calendar month, his bases and allotments are to be based on his actual figures for the last calendar month in which he operated. However, if the last calendar month is February 1943, his actual figures shall be converted to a full month basis in the way provided in section 8.1 for institutional users who operated during only part of December 1942.

(c) The figures so obtained are treated as his figures for December 1942, for all the purposes of this order just as if those were his actual figures for that full month.

32. Section 9.3 (a) is amended by changing the words "a Group II or III institutional user" in the first sentence of that section to "an institutional user (other than a Group I user)", and by inserting the words "meal service" before the word "allotment" wherever it appears in that section.

33. Section 9.4 and section 9.7 are revoked, section 9.5 is redesignated section 9.4 and section 9.6 is redesignated section 9.5.

34. Section 10.1 is amended to read as follows:

SEC. 10.1 Seasonal users. (a) An institutional user is a seasonal user with respect to an establishment which is not in operation during every month in the year. However, if he has two or more establishments registered together, he is a seasonal user as to those establishments only if there is some month in the year in which he does not operate any of them.

(b) A seasonal user who was not in operation between March 1 and March 10, 1943 inclusive, and who did not register between those dates, may register at any time prior to resuming operations. His registration constitutes an application for an allotment for the first allotment period in which he will operate.

(c) His application for an allotment for any subsequent allotment period in which he will operate must be filed dur-

ing the first fifteen (15) days of the period. However, when he suspends operations he may apply for an allotment for the allotment period following the date on which he suspends operations, even though he will not be in operation during that period. The allotment to which he would be entitled for that period is to be used as his allotment for the allotment period in which he resumes operations. The Board may, at his request, issue a certificate to him when he resumes operations, instead of at the time of the application.

(d) Until a seasonal user has operated in at least two calendar months after February 28, 1943, his allotments for each rationed food shall be twice his bases for that food, except that:

(1) If his bases were determined on a full calendar month of operation (or by conversion to a full calendar month basis of his figures for part of December 1942 or February 1943) and he will not be in operation during the entire allotment period, he must notify the Board of the number of days he will not be in operation during that period. His allotments shall be equal to twice his bases reduced by an amount corresponding to the part of the period during which he will not be in operation;

(2) If his bases were determined on his actual figures for a part of a month only (not converted to a full calendar month basis) and he will operate in any allotment period less than twice the number of days he operated during the month used to determine his base, he shall notify the Board of the number of days he was in operation during that month and of the number of days he will be in operation during the allotment period. His allotments shall be computed by multiplying his bases by the number of days that he will be in operation during the allotment period and then dividing the result by the number of days he was in operation during the month used in determining his bases.

(e) After a seasonal user has been in operation in two calendar months after March 1, 1943, his allotments shall be determined in accordance with section 6.2, 7.3, 7.4, 7.5, or 7.6, whichever is applicable. In computing his allotments, the calendar months in which he was not in operation shall be disregarded and the months in which he was in operation shall be treated as if he operated continuously. (For example, a seasonal user may operate only from August 15 to September 30 and from December 1 to February 28. His January-February allotment will be based on his actual operations in September and December—the two calendar months preceding the allotment period.)

35. Section 10.2 (a) is amended by deleting the words "in Group II or III" in the first sentence of that section and substituting in place thereof the words "other than a Group I user."

36. Section 10.4 is redesignated section 11.7 and amended to read as follows:

SEC. 11.7 Supplemental allotments for user who has not operated in two months after February 1943. (a) Until an insti-

tutional user has been in operation, after February 1943, in two calendar months prior to the allotment period in which application for a supplemental allotment is made, his eligibility to receive a supplemental allotment shall be determined, and such allotment shall be computed by using his figures for the base month multiplied by two instead of his figures for the preceding allotment period. (However, this section does not apply to a new institutional user's first period of operations, since he may apply in the same manner that he applied to be registered, for permission to correct his estimate of the number of persons to be served during that period, and for an additional allotment computed on the basis of his corrected estimate.)

37. Section 11.1 is amended to read as follows:

SEC. 11.1 Institutional users may get supplemental allotments for meal services if operations increase. (a) If an institutional user finds that, because of increased meal services, his allotment of any rationed food will be exhausted before the end of the current period, he may apply for a supplemental allotment for meal services. The application must be made to the Board on OPA Form R-315. However, an institutional user is not entitled to a supplemental allotment for establishments in Group III if he does not charge for food, or did not charge during the month used in determining his base. (No supplemental allotment may be obtained under this Article to provide for an increase in "refreshment services only.")

(b) The application must show the number of persons served meals from the beginning of the current period to the date of the application. In the case of a Group III user, it must also show his dollar revenue from meal services during that time.

38. Section 11.2 is amended to read as follows:

SEC. 11.2 Supplemental allotments for Group II users. (a) If a Group II user applies for a supplemental allotment, the Board shall grant it only if it finds that the number of persons he will serve during the current period will be more than twenty percent (20%) larger than the number he served during the preceding period.

(b) The supplemental allotment is to be computed in the following way:

(1) The number of persons he served during the preceding period is subtracted from the total number he will serve during the current period;

(2) The difference is multiplied by the allowance per person for the rationed food for which application is made;

(3) The result is the supplemental allotment to be granted.

39. Section 11.3 is amended to read as follows:

SEC. 11.3 Supplemental allotment for Group III user. (a) If a Group III user applies for a supplemental allotment, the Board shall grant it only if it finds that:

(1) The number of persons he will serve meals during the current period and his dollar revenue from meal services during the current period will be more than twenty percent (20%) larger than the corresponding figures during the preceding period; and

(2) He has already served meals in the current period to eighty percent (80%) of the number of persons he served meals during the preceding period and he has already received in the current period eighty percent (80%) of the dollar revenue from meal services that he received in the preceding period.

(b) The supplemental allotment is to be computed in the following way:

(1) The amount of the increase in the number of persons he will serve meals, as estimated by the Board, is divided by the number he served meals during the preceding period;

(2) The amount of the increase in his dollar revenue from meal services, as estimated by the Board, is divided by his dollar revenue from meal services for the preceding period;

(3) The smaller of the two figures obtained in (1) and (2) above, is multiplied by his meal service allotment of the rationed food for the current period;

(4) The result is the supplemental allotment to be granted.

40. Section 11.4 is amended to read as follows:

SEC. 11.4 Supplemental allotment for Group IV, V and VI users. (a) If a group IV, V or VI user applies for a supplemental allotment, the Board shall grant it only if it finds that the number of persons he will serve meals during the current period will be twenty percent (20%) larger than the number he served meals during the preceding period.

(b) The supplemental allotment is to be computed in the following way:

(1) The amount of the increase in the number of persons he will serve meals, as estimated by the Board, is divided by the number he served meals during the preceding period;

(2) The figure obtained is multiplied by his meal service allotment of the rationed food for the current period;

(3) The result is the supplemental allotment to be granted.

41. Section 11.5 is amended to read as follows:

SEC. 11.5 Applicant accounts for supplemental allotment when applying for subsequent allotment. (a) An institutional user who has received a supplemental allotment of a rationed food prior to March 1, 1944, for which he has not as yet fully accounted, shall, when he applies for his regular allotment for the March-April 1944 period, report the total number of persons served and, except in the case of a Group II user, his dollar revenue for the period for which he received that supplemental allotment. The Board shall compute the amount, if any, to be deducted from his regular allotment in the following way:

(1) The total of his allotments (regular and supplemental) granted for the period in which he received that supplemental allotment is determined;

(2) The number of persons served during that period is divided by the number of persons he served in December 1942;

(3) The dollar revenue (in the case of a Group III user) received during that period is divided by the dollar revenue received in December 1942;

(4) The smaller of the figures obtained in (2) and (3) is multiplied by his base during that period;

(5) If the figure obtained in (1) is larger than the figure obtained in (4), the difference is to be deducted from his allotment for the March-April 1944 period. (He is, however, to be credited with any part of the supplemental allotment for which he has already accounted.)

(b) If he received a supplemental allotment for which he has not yet fully accounted, in more than one period, the procedure set forth in paragraph (a) is to be followed as to each such allotment.

(c) If an institutional user receives a supplemental allotment of a rationed food during the March-April 1944 period or during any subsequent period, it is added to his allotment for meal services for that period. If the total is larger than the allotment for meal services for the next period, the difference must be deducted from his allotment for that next period.

(d) The provisions of this section do not apply to supplemental allotments granted under section 11.6.

41A. A new section 12.3 is added to read as follows:

SEC. 12.3 Petitions for refreshment base or adjustment. (a) A Group IV, V or VI user may petition the Board on OPA Form R-315 for a refreshment base or for an adjustment of that base. He shall state the facts required and follow the procedure set out in section 12.2 (a). The Board shall not act upon the petition but shall forward it to the District Office. The District Office may grant a petition for a refreshment base or for an adjustment of a refreshment base if it finds that such relief is necessary to meet the nutritional needs of the persons fed or because of the nature of their work.

42. Section 13.2 (d) is amended by inserting the word "(Revised)" after the words "OPA Form R-1309" in that section.

43. Section 13.2 (e) is amended by substituting the words "allotment period" in place of the words "two periods" in the first sentence of that section.

44. Section 13.2 (f) is amended by changing the figures "6.3" to read "6.2".

45. Section 13.3 is amended by changing the headnote to read as follows:

SEC. 13.3 New establishments which are registering separately.

46. Section 13.3 (a) is amended to read as follows:

(a) A person who desires to operate a new Group III establishment at which a charge will be made for the meals served, or a new Group IV, V or VI establishment, and who has no such establishment, or who has two or more such establishments which have been registered separately, or who has only one such

establishment and will register the new one separately, must apply to the Board to be registered pursuant to this section.

47. Section 13.3 (b) (5) is amended by adding the parenthetical phrase "(in the case of a Group III user)" before the semicolon.

48. Section 13.3 (b) (6) is amended to read as follows:

(6) Whether he intends to do his own baking of bread, rolls, doughnuts and crullers, pies, cakes, and pastries, and the percentage he himself expects to bake of each of these baked goods that he expects to serve.

49. Section 13.3 (b) (7) is amended by inserting the word "meals" after the words "he expects to serve."

50. Section 13.3 (d) is amended to read as follows:

(d) If the District Office is satisfied that the new establishment will be a Group III establishment at which a charge for meal services will be made, or a Group IV, V or VI establishment, it shall give the applicant allotments of rationed foods for meal services (but none for refreshment services) for the allotment period in which he commences operations, and shall authorize the Board to issue any certificates to which he may be entitled. The amount of the allotment of each rationed food for that period shall be determined by the District Office on the basis of the manner in which the establishment will be operated, the number of persons which it estimates will be served meals during that time, and of the allotments for meal services which have been granted to similar or comparable establishments. However, in no case may the allotment exceed the amount obtained by multiplying the allowance per person for that food by the estimated number of persons to be served meals. After acting on the application the District Office shall return the file to the Board. Thereafter, applications for allotments shall be made to the Board.

51. Section 13.3 (e) is amended to read as follows:

(e) When he applies for his second allotment he shall report to the Board, on OPA Form R-1307, the following information as to his use of foods during the last thirty (30) days:

(1) His use for meal services of the rationed foods listed in Schedule A of that form (in points for processed foods and foods covered by Ration Order 16 and in pounds for sugar); and

(2) His total use (for all services) of the unrationed foods listed in that schedule.

He shall also report to the Board, on OPA Form R-1307—Supplement, the number of persons served meals and the baking information called for by that form for those thirty (30) days, and, in the case of a Group III user, his dollar revenue from meal services. If he has not yet operated for thirty (30) days, he shall report the information for the number of days he did operate and the figures are to be converted to a full month basis in the manner described in section 8.1. The figures for the last

thirty (30) days (or converted to a full month basis if he has not operated for thirty (30) days) shall be used for all the purposes of this order, as if they were his figures for December 1942.

52. Section 13.3 (f) is amended to read as follows:

(f) The Board shall compute a base for meal services for each rationed food (to be used in determining the amount of allotments for the periods following the one in which he commenced operation) in the following way:

(1) The allotment of each rationed food given by the District Office is divided by the number of persons the District Office estimated he would serve meals and the result is multiplied by the number of persons served meals during the last thirty (30) days, computed in accordance with paragraph (e);

(2) The figure obtained shall be his base for meal services. However, if his use of the rationed food for meal services during those thirty (30) days is less than that figure, the amount he used shall be his base for meal services.

53. Section 13.3 (g) is amended to read as follows:

(g) The allotment of each rationed food for meal services for the allotment period following the one in which he began operations shall be twice his base for meal services. The allotments for subsequent periods shall be computed in the same way as the subsequent allotments of other users in that group.

54. Section 13.3 (h) is amended to read as follows:

(h) If the number of persons actually served meals during the period in which he began operations is less than the number of persons which the District Office estimated he would serve meals, his next allotment shall be reduced in an amount computed in the following way:

(1) The allotment of each rationed food given by the District Office is divided by the number of persons the District Office estimated he would serve meals;

(2) The figure obtained is multiplied by the difference between the number of persons actually served meals and the number of persons which the District Office estimated he would serve meals;

(3) The result shall be the reduction in his next allotment.

55. Section 13.4 is amended to read as follows:

SEC. 13.4 Combined registration of new institutional user establishment. (a) A person who desires to operate a new institutional user establishment, other than a Group I establishment, to be registered together with one or more other establishments of the same group which he already operates, must notify the Board of his intention to do so and of the address of the proposed establishment. This shall constitute registration on the form already filed for his other establishments. No separate allotment will be granted for the new establishment. He may, however, apply for a supplemental allotment, and the Board is authorized to grant it to him, disregarding

the percentage limitations imposed by sections 11.2 (a), 11.3 (a) and 11.4 (a). (There is an exception to this rule as far as registration is concerned in the case of certain educational and eleemosynary Group III establishments, covered in section 28.10 (a).)

56. Section 13.6 is revoked.

57. Section 15.2 (a) is amended by changing the words "Group II or III institutional user" to read "institutional user (other than a Group I user)" and by deleting the phrase "and any allotments granted to him for the next period" in the first sentence of that section.

58. Section 15.3 (b) is amended by deleting the words "are Group II or III establishments," and by adding "(other than Group I)" after the words "same group".

59. Section 15.4 (a) is amended by deleting the words "a Group II or III institutional user" and substituting in place thereof the words "an institutional user (other than a Group I user)" in the first sentence of that section.

60. Section 15.5 is amended by changing the words "Group II and III institutional users" to "Group II, III, IV, V and VI institutional users" and by changing the words "Group II or III institutional users" to "Group II, III, IV, V or VI institutional user" wherever they appear in that section.

61. Section 16.2 (a) and 16.2 (b) are amended by changing the words "a Group II or III institutional user" to "an institutional user (other than a Group I user)" wherever it appears in those sections.

62. Section 16.2 (c) is amended to read as follows:

(c) Any institutional user (other than a Group I user) who is eligible to open a ration bank account and who has combined his establishments in one registration, may open one account for all of his combined establishments or a separate account for each or for any combination of them. No account may be opened for, or serve, establishments in more than one group. If an account is opened pursuant to this paragraph for any establishment in a group, all other establishments in that group must also have an account or accounts.

63. Section 17.1 is amended by changing the headnote to read as follows: "A person who lives in an institutional user establishment must give up his war ration books."

64. Section 17.1 (a) is amended by deleting the words "Group II or III institutional user establishment" and substituting in place thereof "institutional user establishment (other than a Group I establishment)".

65. Section 17.1 (b) is amended by deleting the words "a Group III establishment" and substituting in place thereof the words "an establishment (other than a Group I and II establishment)".

66. Section 17.1 (c) is amended by deleting the words "a Group II or a Group III establishment" and substituting in place thereof the words "an institutional

user establishment (other than a Group I establishment)".

67. Section 17.1 (d) is amended by deleting the words "in Group II or III" and substituting in place thereof the words "other than a Group I user".

68. Section 18.2 (b) (3) is amended by changing the words "food was" to "meals were".

69. Section 18.2 (b) (4) and (6) are amended by changing the word "food" to read "meals".

70. Section 18.2 (c) is amended to read as follows:

(c) Every Group IV, V and VI institutional user must keep a record for each establishment or group of establishments on which he enters daily:

(1) The total number of persons served;

(2) The number of persons to whom refreshments only were served;

(3) The number of persons to whom meals were served.

NOTE: OPA Form R-1311 may be used for keeping this record.

71. Section 18.2 (d) is amended to read as follows:

(d) If, because of the nature of his operation, it is an undue hardship for a Group III, IV, V, or VI user to keep records in accordance with this section of the actual number of persons served and, in the case of a Group III user, of the dollar revenue received, he may file with the Board a petition for relief on OPA Form R-315. He must state in his petition his method of keeping records of cash receipts (such as punch checks, written checks, cash register, etc.), the reason why it would be a hardship in his type of operation to keep the required records, and the method, other than a complete daily count, he can use for determining the required information. If the Board finds that it is an undue hardship for the institutional user to keep daily records, it may authorize him, in writing, to keep such records for any full week in each month, specifying the record-keeping method and the weeks which it approves. The proportion which the number of persons served meals during that week bears to the total persons served during that week, will be deemed to be the proportion for the entire month. In the case of a Group III user, the proportion which the dollar revenue from meal services during that week bears to the total dollar revenue during that week will be deemed to be the proportion for the entire month. If such user petitions for permission to use a method not involving records for a full week in each month, the Board may not act on his petition, but must forward it to the District Office. The District Office shall act on such petitions in accordance with instructions from the Washington Office.

72. Section 21.5 (a) is amended by substituting for the words "food served" the word "services" in the title and in the last sentence.

73. Section 22.1 is amended as follows:

a. The definition of "dollar revenue" is amended to read as follows:

"Dollar revenue" means gross dollar revenue derived from the service of meals and refreshments (other than alcoholic beverages). Where a combined charge is made for food and lodging or other services, dollar revenue is computed by determining how much of the total charge reasonably covers the service of meals and refreshments (other than alcoholic beverages). (However, if the combined charge covers entertainment, that part of the charge is included in dollar revenue). If a determination has been made under any maximum rent regulations of the Office of Price Administration, of the part of the total charge which is for rent, that determination shall be used in computing dollar revenue. Dollar revenue does not include revenue derived from services to Army, Navy, Marine Corps, or Coast Guard personnel messed under the command of a commissioned or non-commissioned officer pursuant to written contract with an agency of the United States.

b. The following definition is inserted between the definition of "dollar revenue" and the definition of "foods covered by Ration Order No. 16":

"Food", when used alone, includes all items of food, whether they constitute "meals" or "refreshments". (The terms "food service" or "persons served food", when used in OPA Forms R-1307 Supplement or R-1309 (Revised), have the same meaning as "meal" service or "persons served meals".)

c. The following definition is inserted between the definition of "issue" and the definition of "person":

"Meal" or "meal service" means any service of "food" other than a "service of a refreshment only".

d. The following definition is inserted between the definition of "person" and the definition of "processed foods":

"Persons served" includes both persons served "meals" and persons served "refreshments only". The terms "persons served meals" or "meal services", and "persons served refreshments only" are used when a distinction between refreshment services only and other types of services is intended.

e. The following definition is inserted between the definition of "rationed food" and the definition of "stamp":

"Refreshments" means all items commonly known as such, and includes, but is not limited to, all beverages, such as alcoholic and carbonated beverages, fruit and vegetable juices, non-carbonated water beverages (such as orangeade, lemonade, etc.), milk, milk drinks (such as malted milk, milk shakes and chocolate floats), tea, cocoa, coffee, coffee substitutes, hot chocolate and ice cream sodas. The term also includes items such as ice cream dishes of all kinds, ice cream cones, sherbets, snowballs, popcorn, potato chips, peanuts, candy and pretzels.

A service is considered to be a "service of a refreshment only", if the refreshment, or a mixture or combination of refreshments, is served to a person to whom nothing else is served. It is also considered a service of a refreshment

only, even if some incidental item is also served (such as service of crackers with hot chocolate), if no separate charge is customarily made for that incidental item when served with a refreshment.

74. Section 26.1 (a) is amended by deleting the words "Group II and III", in the last sentence of that section and by inserting the parenthetical phrase "(other than a Group I user)" after the words "institutional users".

75. Section 27.1 is amended by substituting the words "Group IV" in place of the words "Group III" in the title of that section and by amending paragraph (a) to read as follows:

(a) A Group IV institutional user may apply for a special allotment of processed foods if he needs additional processed foods and if he cannot get enough fruits or vegetables to meet the minimum nutritional needs for such foods of the employees fed by him because:

(1) The place where he feeds such employees, or the employer's business or occupation is of such a nature, that a source of supply of fresh fruits and vegetables is not reasonably accessible; and

(2) He has no facilities for preserving such foods long enough, and in the quantities required, to meet such needs. (A Group I institutional user may not apply for a special allotment under this section. Consumers eating in Group I establishments are permitted, under similar circumstances, to apply for additional points under Revised Ration Order 13.)

76. Section 27.2 is amended by substituting the words "Group IV" in place of the words "Group III" in the title and by changing the words "poultry and eggs" to "and poultry" wherever they appear in that section.

76a. Section 27.2 (a) is amended to read as follows:

(a) A Group IV institutional user may apply for a special allotment of foods covered by Ration Order 16 if he needs additional amount of such foods and if he cannot get enough fresh fish, fresh milk or poultry to meet the nutritional needs of the employees fed by him because:

(1) The place where he feeds such employees, or the employer's business or occupation is of such a nature that a source of supply of fresh fish, fresh milk and poultry is not reasonably accessible, except at infrequent intervals; and

(2) He has no facilities for preserving such foods long enough, and in the quantities required to meet such needs. (A Group I institutional user may not apply for a special allotment under this section. Consumers eating in Group I establishments are permitted, under similar circumstances, to apply for additional points under Ration Order 16.)

76b. Section 27.2 (b) (4) is amended by deleting the words "and the number of dozens of eggs".

77. Section 28.3 is amended by deleting the words "Group II and III," and inserting the parenthetical phrase "(other than a Group I user)" after the words "institutional users" in the title of that section.

78. Section 28.3 (a) is amended by deleting the words 'Group II or III' in the

subtitle, and by substituting for the words "A Group II or III institutional user" in the first sentence the words "An institutional user (other than a Group I user)".

79. Section 28.3 (c) is amended by deleting the words "Group II and III" and the words "Group II or III".

80. Section 28.3 (d) is amended by substituting for the words "A Group II or III" the word "an".

81. Section 28.4 is amended by deleting the words "Group II or III" wherever they appear in that section, and by substituting for the word "a" the word "an" in the title and in the first sentence of that section, and by adding "(other than a Group I user)" after "institutional user" in the first sentence.

82. Section 28.7 is amended by substituting for the words "a Group II or III institutional user" the words "an institutional user (other than a Group I user)" in the title and in the first sentence of that section.

83. Section 28.8 and section 28.9 are amended by inserting the figures ", V or VI" after the words "Group III" wherever they appear in those sections and in the title.

84. Section 29.2 (d) is amended by inserting after the words "Group III" the figures ", IV, V or VI".

85. Section 29.3 (b) (2) (ii) is amended so that the first five sentences shall read as follows:

If establishments in other groups are being transferred, the transferor must also apply to the Board with which he is registered for a redetermination of his allotments and, except in the case of Group II establishments, of his bases. In the case of a transfer of Group III, IV, V or VI establishments, the transferor must also report the December 1942 use of rationed foods for meal services and the information required on OPA Form R-1307 Supplement, for the establishment or establishments being transferred. The Board shall send the application and notices of both parties, and the transferor's registration to the District Office. If the transferred establishments are in Group II, III, IV, V or VI and if the District Office finds that they will continue to be operated in substantially the same manner as before the transfer, it shall grant allotments to the transferee and, except in the case of Group II establishments, shall assign bases to him. It shall first determine the amount of the transferor's allotments and of the transferor's bases allocable to the transferred establishment or establishments.

86. Section 29.4 (a) is amended by inserting after the words "Group III" the figures ", IV, V or VI" in the second sentence.

87. Section 29.6 (a) is amended by substituting for the words "Group II or III establishment" the words "establishment (other than a Group I)".

88. Section 30.2 is amended by substituting for the words "Group II or III establishment" the words "establishment (other than a Group I establishment)" in the title and in the first sentence of that section.

89. Section 30.3 is amended to read as follows:

SEC. 30.3 Closing of chain establishments—(a) *Same rules apply to closing of entire chain.* The rules set forth in sections 30.1 and 30.2 apply where a person who has more than one institutional user establishment goes out of business at all of them, whether or not they were registered separately.

(b) *Closing of part of chain.* (1) A person who has several institutional user establishments, which are registered separately, may go out of business at one or more, but may continue to operate the others. In that case, he must follow the procedure set forth in section 30.1 or 30.2, whichever is applicable, as to each of the establishments at which he goes out of business.

(2) A person who has several institutional user establishments which are registered together may go out of business at one or more, but may continue to operate the others. In that case he must notify the Board within five (5) days.

(c) If the establishments were in Group I, the rules of section 30.1 apply.

(d) If the establishments were in Group II, the notice must state:

(1) The name and address of the establishment or establishments;

(2) The number of persons served in December 1942, at the establishment or establishments being closed; and

(3) The number of persons served in the establishment or establishments for the month in which they go out of business and for the preceding month.

(e) If the establishments were in Groups III, IV, V or VI, the notice must state:

(1) The name and address of the establishment or establishments;

(2) The number of persons served meals, the number of persons served refreshments only, the amount of rationed foods used for meal services and for services of refreshments only (and in the case of the closing of Group III establishments, the dollar revenue from meal services and from services of refreshments only) in December 1942, at the establishment or establishments being closed; and

(3) The number of persons served meals, the number of persons served refreshments only (and in the case of Group III establishments, the dollar revenue from meal services and from services of refreshments only) for the establishment or establishments for the month in which they go out of business and for the preceding month.

(f) In the case of an institutional user other than a Group I user, the Board shall send the notification and his registration to the District Office.

(g) The District Office shall reduce the institutional user's allotments for the allotment period in which the establishments are closed (and, in the case of Group III, IV, V or VI establishments, their bases) by the amount allocable to the closed establishments. He must give up to the Office of Price Administration certificates or ration checks equal to the amount of the reduction in his allotments. If he does not have certificates

or ration checks to give up, that amount shall be treated as excess inventory.

(h) Subsequent allotments for Group III, IV, V and VI institutional users shall be computed by using the bases as recomputed in accordance with paragraph (g), and the dollar revenue and persons served figures of the establishments still in operation.

90. Article XXXI is added to read as follows:

ARTICLE XXXI—SPECIAL ALLOTMENTS FOR CERTAIN GROUP IV USERS

SEC. 31.1 Certain Group IV users may get special allotments. (a) Certain Group IV institutional users who feed heavy workers will be granted special allotments of rationed foods to meet the nutritional needs of those workers. Such allotments will be given only if those workers are in an industry or occupation designated by the Washington Office, and only after a determination based on studies and recommendations made by the War Food Administration.

(b) Allotments, when granted, will be based on the average number of different persons fed per day. (For this purpose, a person will be counted only once, on any one day even if he actually eats more than one meal there on that day, since allotments will be based on a monthly allowance per person.)

(c) Application shall be made to the Board on OPA Form R-315. Boards and District Offices may grant such special allotments only when authorized by instructions from the Washington Office, and only to the users and under the conditions and limitations set forth in those instructions.

(d) Any Group IV institutional user establishment for which such a special allotment is granted will be required to register separately, so that the allotment can be used only for feeding the persons for whose benefit it is granted. Furthermore, any special allotment granted will be in place of all other allotments to which the user might otherwise be entitled, since the purpose of the special allotment will be to cover nutritional needs to the extent that food supplies and other conditions permit.

91. A new article XXXII is added to read as follows:

ARTICLE XXXII—SPECIAL PROVISIONS FOR CERTAIN GROUP VI USERS

SEC. 32.1 Certain Group VI users may apply for adjustment of base. (a) A Group VI institutional user who operates an establishment at a school may apply for an adjustment of his meal service base if he needs more rationed foods because of a change in the character of his operations.

(b) The application shall be made to the Board on OPA Form R-315, and must state:

(1) The place where the meals will be served;

(2) The type of meals that will be served (e. g., F. D. A. type "A" or "B" lunch or other type); and

(3) The number of persons estimated to be served meals during the current allotment period.

(c) If the Board finds that the institutional user needs more rationed foods because of a change in the character of his operation, it may determine an adjusted meal service base for each rationed food, in accordance with instructions from the Washington Office. The applicable allowances per person to be used in adjusting the meal service base of an institutional user who serves lunches meeting the standards set by the War Food Administration for "Type A" or "Type B" lunches are contained in a supplement to this Order.

This amendment shall become effective March 1, 1944, except that section 5.3 (b) shall become effective February 15, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.: as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471 respectively)

Issued this 15th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2222; Filed, February 15, 1944;
11:55 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,¹ Amdt. 69]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.201 (a) (40) is amended to read as follows:

(40) "Wholesaler" means any person engaged in the business of selling tires or tubes at wholesale exclusively to dealers, and at retail exclusively to his own employees or to fleet operators.

2. A new § 1315.508 is added to read as follows:

§ 1315.508 Eligibility for allotments of Grade I tires and passenger-type tubes based on wholesale sales. (a) A District Director may issue certificates for allotments of Grade I tires and passenger-type tubes to:

(1) A wholesaler;

(2) A person who is not a wholesaler at the time of his application for an allotment, if he was a wholesaler during 1941 and if he will sell passenger-type tires and tubes exclusively as a wholesaler.

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 9752.

(3) A dealer whose net sales of tires and tubes to other dealers in 1941 from all of his establishments totaled \$100,000 or more.

(b) A person eligible under paragraph (a) shall be entitled to an allotment of Grade I tires and passenger-type tubes in an amount determined as follows:

(1) 200 Grade I tires for each establishment where the applicant will engage in the wholesaling of tires and tubes.

(2) An additional Grade I tire for each \$500 of net sales in 1941 of tires and tubes to dealers at the establishment for which the allotment is sought.

(3) There shall be deducted from the total of subparagraphs (1) and (2) the number of Grade I tires in the inventory (including Parts B of certificates for Grade I tires upon which replenishment has not yet been obtained) of the establishment as of the date of application.

(4) A new passenger-type tube for each Grade I tire that the applicant is authorized to acquire.

(c) The District Director shall grant only one allotment to an applicant under this Section for each establishment for which the allotment is sought. An applicant may receive his allotment on as many certificates on OPA Form R-2 as he requests.

3. A new paragraph (d) is added to § 1315.602 to read as follows:

(d) *Allotments based on wholesale sales.* Applications for allotments of Grade I tires and passenger-type tubes under § 1315.508 shall be made by letter to the District Director for the area in which the establishment for which the allotment is sought is located. The letter of application shall state the applicant's name, the address of the establishment for which the allotment is sought and the inventory of such establishment of Grade I tires and Parts B of certificates for Grade I tires upon which replenishment has not yet been obtained as of the date of the application. In addition, the application shall state:

(1) If the applicant is a wholesaler, that he engages in the business of selling tires or tubes at wholesale exclusively to dealers and at retail exclusively to his own employees or to fleet operators; and the total net sales in 1941 of tires and tubes to dealers made from the establishment for which the allotment is sought; or

(2) If the applicant is not a wholesaler at the time of his application, that he was a wholesaler during 1941 and that he will sell passenger-type tires and tubes exclusively as a wholesaler; and the total net sales in 1941 of tires and tubes to dealers made from the establishment for which the allotment is sought; or

(3) If the applicant is not a wholesaler but is a dealer eligible under § 1315.508 (a) (3), the total net sales in 1941 of tires and tubes to dealers made from the establishment for which the allotment is sought and, if this amount is less than \$100,000, the total net sales of tires and tubes to dealers made from

all of the applicant's establishments in 1941.

This amendment shall become effective February 19, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 15th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2219; Filed, February 15, 1944;
11:58 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11,¹ Amdt. 95]

FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1394.5458 (a) is amended by substituting for the phrase "in exchange for coupons of the series which will next become valid", the phrase "in exchange for coupons which have not yet become valid".

This amendment shall become effective on February 19, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-O, as amended (8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 15th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2218; Filed, February 15, 1944;
11:58 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,² Amdt. 8]

PROCESSED FOOD

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 2.9 (b) is amended by deleting the second sentence; and by amending the third sentence to read as follows:

(b) * * * A single application may be made covering more than one consumer, but the name of each shall be listed on the application, and the war

¹ 7 F.R. 8480.

² 9 F.R. 3, 104.

ration book currently used to acquire processed foods of each person covered by the application must be submitted with it.

2. Section 2.9 (e) is amended to read as follows:

(e) Any board which issues certificates under this section shall enter a notation on the front cover of the books submitted with the application showing:

- (1) Its address;
- (2) The date it issued certificates under this section;
- (3) The foods authorized to be acquired by such certificates;
- (4) The point value of such certificates; and
- (5) The period for which the supplemental ration was given.

This amendment shall become effective February 19, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

(b) That such central office is in fact the place from which the operations of the establishments in the group are directed.

The district office must forward the application to the Washington Office for decision or take such other action as the Washington Office may authorize or direct.

This amendment shall become effective February 19, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 15th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2224; Filed, February 15, 1944;
11:56 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,¹ Amdt. 105]

CHEESE MANUFACTURERS' BRANCH PLANTS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 4.11 (a) (2) is amended by designating the text as subdivision (i); by deleting the words, "prior to March 29, 1943"; and by adding the following subdivision (ii):

(ii) A primary distributor who has more than one primary distributor establishment and who wishes to register two or more of those establishments together, but who does not meet the tests set forth in subdivision (i) of this subparagraph may apply to the district office for the place where his principal business office is located for permission to register two or more of his establishments together. He must apply on OPA Form R-315 and he must show:

(a) That he maintains a central office for each group of establishments to be registered together, at which he keeps records of the current inventory, production, acquisitions, and transfers of foods covered by this order at each of such establishments; and

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,¹ Amdt. 106]

MISCELLANEOUS AMENDMENTS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 2.7 (b) is amended by adding an undesignated paragraph to read as follows:

The applicant must also submit with his application the war ration books currently used to acquire foods covered by this order, of each person for whom the application is made.

2. Section 2.7 (e) is amended to read as follows:

(e) Any board which issues certificates under this section shall enter a notation on the front cover of the books submitted with the application showing:

- (1) Its address;
- (2) The date it issued certificates under this section;
- (3) The foods authorized to be acquired by such certificates;
- (4) The point value of such certificates; and
- (5) The period for which the supplemental ration was given.

This amendment shall become effective February 19, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R.

562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 15th day of February 1944.
CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2225; Filed, February 15, 1944;
11:56 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,¹ Amdt. 107]

VITAMIN A OR D OILS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. Section 7.13 (a) (2) is added to read as follows:

(2) An industrial user may get a provisional allowance to enable him to acquire rationed fats or oils to manufacture vitamin A or D oils which have a potency at least equal to the standards set forth in the U. S. Pharmacopoeia XII for "Oleovitamin A", "Synthetic Oleovitamin D", "Oleovitamin A and D" or "Oleovitamin A and D Concentrate", as the case may be.

2. Section 7.13 (b) (2) is added to read as follows:

(2) An industrial user's application for a provisional allowance for rationed fats or oils for use in manufacturing vitamin A or D oils must contain the following information:

(i) The product made by him for which the provisional allowance is requested;

(ii) The minimum potency of the product in terms of vitamin A and D U. S. P. standard units per gram of the product;

(iii) The number of pounds of the product which he expects to make during the period for which application is made;

(iv) The average number of pounds of each type of rationed fats or oils (stated separately for each type) which he used during 1942 to make each 100 pounds of the product;

(v) A report of his use of his last provisional allowance showing the number of pounds of rationed fats or oils used (stated separately for each type), and the number of pounds of the product made;

(vi) The number, if any, of unused points remaining from his last provisional allowance (or supplemental allotment, if any) for rationed fats or oils for that product.

If he makes more than one product for which he is entitled to receive a provisional allowance, he may include them all in a single application. However, he must give all of the required information separately for each of the products.

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 13128, 13394, 13980, 15399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16608, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532.

3. Section 7.13 (c) (2) is added to read as follows:

(2) The amount of the provisional allowance for rationed fats or oils for use in manufacturing vitamin A or D oils shall be computed in the following way:

(i) The number of pounds of the product which the applicant expects to make during the quarter is multiplied by the number of pounds of each type of rationed fats or oils which he used for each 100 pounds of that product during 1942;

(ii) The result, in each case, is multiplied by the factor fixed (in the supplement to this order) for provisional allowances for rationed fats or oils for vitamin A or D oils;

(iii) The resulting figures are multiplied by the point value established on the Official Table of Trade Point Values for the rationed fats or oils used by the applicant;

(iv) These figures are added together and the result is his provisional allowance for the period.

The board shall issue to him a certificate for the amount of his provisional allowance less the point value of any unused balance of his last provisional allowance, or supplemental allotment, for rationed fats or oils to make that product.

This amendment shall become effective February 19, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 15th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2216; Filed, February 15, 1944;
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PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,¹ Amdt. 11 to Rev. Supp. 1]

VITAMIN A OR D OILS

Section 1407.3027 (d) (1) (iv) is added to read as follows:

(iv) Rationed fats or oils . . . Vitamin A or D oils . . . 0.01

This amendment shall become effective February 19, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir.

¹ See note 1, p. 1818.

5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 15th day of February, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2217; Filed, February 15, 1944;
11:57 a. m.]

PART 1440—PROCESSED FOOD COMMODITIES

[MPR 326,¹ Amdt. 2]

MACARONI PRODUCTS AND NOODLE PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 326 is amended in the following respects:

1. Section 1440.8 (d) is redesignated § 1440.8 (e).

2. A new § 1440.8 (d) is added, to read as follows:

(d) On or before March 1, 1944 or within 10 days after his first sale of an item for which he determines a maximum price under § 1440.3 (a), file with the nearest district office of the Office of Price Administration a statement showing (1) the maximum price so determined, and (2) if such price is the maximum price of a comparable commodity produced by him, the variety, type, brand (if any) container size and style of that comparable commodity, or, if such price is the maximum price of a comparable commodity produced by his most closely competitive producer, the name of that competitive producer and the variety, type, brand (if any), container size and style of that comparable commodity; and

This amendment shall become effective February 21, 1944.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2220; Filed, February 15, 1944;
11:55 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165, as Amended,² Amdt. 34]

SERVICES

A statement of the considerations involved in the issuance of this amendment,

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 2098, 4346.

² 7 F.R. 6428, 6366, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 5755, 5933, 6364, 8506, 8873, 10671, 10939, 11754, 12023.

issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1499.101 (c) (28) is amended by inserting after the word "rental" the parenthetical phrase "(except rental of refrigerators subject to Maximum Price Regulation 139 and rental of washing machines subject to Maximum Price Regulation No. 372)".

This amendment shall become effective February 21, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of February 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-2221; Filed, February 15, 1944;
11:55 a. m.]

Chapter XIII—Petroleum Administration for War

PART 1545—PETROLEUM SUPPLY

[PAO 1, as Amended Feb. 1, 1943, Amdt. 4]

INVENTORY RESTRICTIONS

Section 1545.1 (Petroleum Administrative Order No. 1, as amended February 1, 1943) is hereby amended by changing paragraph (g) thereof to read as follows:

(g) *Inventory restrictions.* No person may deliver or otherwise supply motor fuel or fuel oil to any storage location (other than a refinery or bulk terminal) owned, operated or controlled by such person or by any other person, and no person may accept delivery of motor fuel or fuel oil at such a storage location where the amount of motor fuel or fuel oil at such storage location is equal to or exceeds the amount of motor fuel or fuel oil which would normally be withdrawn from such storage location to meet rationed demands during the 10 days next following the date upon which the delivery is made: *Provided*, (i) That any single delivery of motor fuel or fuel oil by means of a transportation facility generally used in such delivery, which brings the amount of motor fuel or fuel oil at such a storage location to an amount equal to or in excess of the foregoing amounts, may be completed, and (ii) that nothing in this paragraph shall be deemed to apply to the delivery of motor fuel or fuel oil to any agency referred to in paragraph (h) (i), and (iii) that nothing in this paragraph shall be deemed to apply to the delivery of motor fuel to any retail filling station, or to the delivery of fuel oil to any private dwelling (as defined in Ration Order No. 11, as amended, issued by the Office of Price Administration), and (iv) that this paragraph shall not apply to public utilities.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub.

Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 15th day of February 1944.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 44-2226; Filed, February 15, 1944;
12:02 p. m.]

**Chapter XIX—Defense Supplies
Corporation**

[Rev. Reg. 1, Rev. Schedule A]

**PART 7001—PETROLEUM COMPENSATORY
ADJUSTMENTS**

TRANSPORTATION COST OF CRUDE PETROLEUM

Schedule A of Petroleum Compensatory Adjustments, Revised Regulation No. 1 (8 F.R. 6101, 10812, 11873) of Defense Supplies Corporation is revised (effective December 1, 1943) as follows:

REVISED SCHEDULE A

Amounts to be added to the cost of transporting crude, pursuant to § 7001.5 (a) (1) (i) (b) of the revised regulation:

*Crude producing area (area in
which is located the well
which is the actual origin of
the crude)*

| | <i>Amount (per barrel)</i> |
|-----------------------------------------------------------------------------------|--------------------------------|
| 1. Texas Panhandle | .315 |
| 2. West Texas and New Mexico | .26 |
| 3. West Central Texas | .29 |
| 4. North Texas | .315 |
| 5. East Texas (including East Central) | .147 |
| 6. Talco Area | .265 |
| 7. North Louisiana and South Arkansas (including Cess and Marion Counties, Texas) | .196 |
| 8. Tinsley Area (Miss.) | .191 |
| 9. Central Louisiana | .151 |
| 10. Southwest Texas | .141 |
| 11. Texas and Louisiana Gulf Coast | .126 |
| 12. Southeast Louisiana | .088 |
| 13. State of Oklahoma | .315 |

COUNTIES AND PARISHES IN CRUDE PRODUCING AREAS

Counties and parishes included in crude producing areas are as follows:

Area No. 1; Texas Panhandle: Moore, Hutchinson, Potter, Carson, Gray, and Wheeler.

Area No. 2; West Texas and New Mexico: Cochran, Hockley, Lubbock, Eddy, Lea, Yoakum, Terry, Lynn, Garza, Gaines, Dawson, Borden, Scurry, Andrews, Martin, Howard, Mitchell, Loving, Winkler, Ector, Midland, Glasscock, Sterling, Coke, Reeves, Ward, Crane, Upton, Reagan, Irion, Tomgreen, Pecos, Crockett, and Schleicher.

Area No. 3; West Central Texas: Stonewall, Fisher, Jones, Shackelford, Stephens, Palo Pinto, Parker, Tarrant, Nolan, Taylor, Callahan, Eastland, Erath, Hood, Johnson, Somervell, Runnels, Coleman, Brown, Comanche, Hamilton, Bosque, Concho, McCulloch, San Saba, Mills, Lampasas, and Coryell.

Area No. 4; North Texas: Hardeman, Foard, Wilbarger, Wichita, Knox, Baylor, Archer, Clay, Montague, Cooke, Grayson, Haskell, Throckmorton, Young, Jack, Wise, Denton, and Collin.

Area No. 5; East Texas (including East Central): Camp, Wood, Upshur, Van Zandt, Gregg, Henderson, Smith, Rusk, Navarro, Limestone, Freestone, Anderson, Cherokee, Leon, and Houston.

Area No. 6; Talco Area: Hopkins, Franklin, and Titus.

Area No. 7; North Louisiana and South Arkansas, including Cass and Marion Coun-

ties, Texas: Arkansas: Nevada, Ouachita, Miller, Lafayette, Columbia, and Union; Texas: Cass and Marion; Louisiana: Caddo, Bossier, Webster, and Claiborne.

Area No. 8; Tinsley area (Miss.): Yazoo.

Area No. 9; Central Louisiana: La Salle, Catahoula, Concordia, Rapides, and Avoyelles.

Area No. 10; Southwest Texas: Bastrop,

Fayette, Colorado, Guadalupe, Caldwell, Gon-

zales, Lavaca, Wharton, Karnes, De Witt, Jack-

son, Matagorda, Goliad, Victoria, Frio, La

Salle, McMullen, Live Oak, Bee, Refugio,

Aransas, Calhoun, Webb, Duval, Jim Wells,

San Patricio, Nueces, Zapata, Jim Hogg, and

Brooks.

Area No. 11; Texas and Louisiana Gulf

Coast: Texas: Trinity, Madison, Brazos,

Grimes, Walker, San Jacinto, Polk, Tyler,

Jasper, Newton, Montgomery, Hardin, Wash-

ington, Austin, Waller, Liberty, Harris, Gal-

veston, Orange, Fort Bend, Chambers, Jeffer-

son, and Brazoria; Louisiana: Beauregard,

Allen, Evangeline, St. Landry, Pointe Coupee,

West Feliciana, Calcasieu, Jefferson Davis,

Acadia, Lafayette, St. Martin, Cameron, Vermi-

llion, Iberia, and St. Mary.

Area No. 12; South East Louisiana: East

Feliciana, St. Helena, Tangipahoa, Washing-

ton, West Baton Rouge, East Baton Rouge,

Livingston, St. Tammany, Iberville, Ascen-

sion, St. James, St. John the Baptist, Orleans,

Assumption, St. Charles, St. Bernard, St.

Martin, Terrebonne, La Fourche, Jefferson,

and Plaquemines.

Area No. 13; State of Oklahoma: All coun-

ties in the State of Oklahoma.

Revised Schedule A shall become effec-

tive as of December 1, 1943.

Issued this 31st day of December 1943.

**DEFENSE SUPPLIES CORPORATION,
By GEORGE H. HILL, Jr.,**

Executive Vice President.

[F. R. Doc. 44-2121; Filed, February 12, 1944;
10:25 a. m.]

[Reg. 3, Amdt. 2]

PART 7003—LIVESTOCK SLAUGHTER PAYMENTS

EXTRA COMPENSATION FOR NON-PROCESSING SLAUGHTERERS OF BEEF

Pursuant to a directive issued by the Office of Economic Stabilization on October 25, 1943 (8 F.R. 14641), Regulation No. 3 of Defense Supplies Corporation is hereby amended by adding a new § 7003.14, as follows:

§ 7003.14 Extra compensation for non-processing slaughterers of beef—

(a) Definitions. (1) "Non-processing slaughterer of beef" means an unaffiliated slaughterer as hereinafter defined who during six consecutive months of 1942, sold, and who currently sells, 98% or more, measured in dressed carcass weight, of the total beef produced from cattle slaughtered by him in all his establishments, in the form of carcasses, wholesale cuts, boneless beef or ground beef.

(2) "Unaffiliated slaughterer" means a slaughterer who does not own or control a processor or purveyor of meat, and who is not owned or controlled by a processor or purveyor of meat. "Unaffiliated slaughterer" shall not include any institution, representative or agency of Federal, State or local governments.

(3) "Processor or purveyor of meat" means a person who processes fresh beef

or sells or dispenses fresh or processed meat or products containing meat, at wholesale or at retail, or in a hotel, restaurant or other eating establishment.

(4) "Own or control" means to own or control directly or indirectly a partnership equity or in excess of ten percent of any class of outstanding stock or to have made loans or advances in excess of five percent of the other person's monthly sales.

(5) "Beef" means meat derived from the carcasses of bovine animals which does not qualify as veal as defined in § 1364.470 (a) (3) of Revised Maximum Price Regulation No. 169 issued by the Office of Price Administration.

(6) "Cattle" means bovine animals, slaughter of which results in the production of beef.

(7) "Carcasses" means beef carcasses as defined in § 1364.455 (a) (8) of Revised Maximum Price Regulation No. 169 issued by the Office of Price Administration.

(8) "Wholesale cuts" means beef wholesale cuts as defined in § 1364.455 (a) (9) of Revised Maximum Price Regulation No. 169 issued by the Office of Price Administration.

(9) "Boneless beef" means the dressed carcass equivalent of beef covered by § 1364.452 (l), (m) and (n) of Revised Maximum Price Regulation No. 169 issued by the Office of Price Administration.

(10) "Ground beef" means the dressed carcass equivalent of ground beef as defined in § 1364.452 (p) (4) of Revised Maximum Price Regulation No. 169 issued by the Office of Price Administration.

(b) *Persons eligible for extra compensation.* Any non-processing slaughterer of beef who files an application for payment under §§ 7003.1 through 7003.5 of this regulation may file a claim for extra compensation on account of cattle slaughtered on and after November 1, 1943, for any accounting period for which he files an application for payment under §§ 7003.1 through 7003.5.

(c) *Filing claims.* (1) Claims for extra compensation shall be filed in the same manner as, for the same period as, and with, the applications for payment provided for in §§ 7003.1 through 7003.5 of this regulation.

(2) If an applicant's accounting period does not begin on November 1, 1943, he may include in his claim for extra compensation for the first full accounting period beginning after November 1, 1943, the cattle slaughtered on and after November 1, 1943 and before the beginning of the next accounting period.

(d) *Payment of claims.* Defense Supplies Corporation will make payment on approved claims for extra compensation at the rate of .8 cents a pound on the same amount of live weight of cattle slaughtered on and after November 1, 1943, on which payments are made to the applicant under §§ 7003.1 through 7003.5 of this regulation. Payments will be made in the same manner and on the same terms as payments of applications under §§ 7003.1 through 7003.11 of this regulation.

(e) This section shall become effective as of November 1, 1943.

Issued this 30th day of October 1943.

GEORGE H. HILL, Jr.,
Executive Vice President.

[F. R. Doc. 44-2122; Filed, February 12, 1944;
10:25 a. m.]

[Reg. 3, Amdt. 3]

PART 7003—LIVESTOCK SLAUGHTER PAYMENTS

MISCELLANEOUS AMENDMENTS

Regulation No. 3 of Livestock Slaughter Payments, issued by Defense Supplies Corporation on June 16, 1943, is amended as follows:

Section 7003.1 is amended by adding three new paragraphs, (x), (y), and (z) as follows:

(x) "Cattle" and "beef" have the same meanings throughout this regulation as they have in the definitions of § 7003.14, added by Amendment No. 2, effective November 1, 1943.

(y) "Grade" means any of the six grades of beef known by the descriptions (1) AA or choice; (2) A or good; (3) B, commercial or medium; (4) C, utility or common; (5) cutter and canner; and (6) bologna bulls; and is determined on the basis of the carcass grade after slaughter in accordance with the official standards for such grades of beef of the United States Department of Agriculture.

(z) "Established prices" means the range of prices which may be paid for live cattle of each grade delivered at slaughtering establishments within specified zones, or at specified markets, as certified to Defense Supplies Corporation by the Office of Price Administration and the War Food Administration. The prices, zones and markets so certified on December 18, 1943, as amended, are those in the attached certification.

Section 7003.3, paragraph (d), subparagraph (1), is amended by inserting after the words "Only one application", a comma and the words "except as provided in § 7003.16, paragraph (b) of this regulation".

Section 7003.5, paragraph (a) is amended to read as follows:

(a) *Rate of payment*—(1) *Accounting periods beginning on or before December 25, 1943*. Defense Supplies Corporation will make payment on approved claims covering accounting periods beginning on or before December 25, 1943, at the following rates:

| | Cents a pound |
|---------------|------------------|
| Cattle | 1.1 |
| Calves | 1.1 |
| Sheep | .95 |
| Hogs and pigs | 1.3 |

(2) *Accounting periods beginning after December 25, 1943*. Except as provided in § 7003.15 of this regulation, Defense Supplies Corporation will make

payment on approved claims covering accounting periods beginning after December 25, 1943, at the following rates:

| | Cents a pound |
|---------------|------------------|
| Cattle | 1.0 |
| Calves | 1.1 |
| Sheep | .95 |
| Hogs and pigs | 1.3 |

Section 7003.5, paragraph (b) is amended by adding a new subparagraph (4), as follows:

(4) Deductions from claims for cattle slaughtered during accounting periods beginning after December 25, 1943, will be made in accordance with §§ 7003.16 and 7003.17 of this regulation.

A new § 7003.15 is added as follows:

§ 7003.15 *Payment by grades of beef*—(a) *Separate grade rates*. Payment will be made by Defense Supplies Corporation on account of cattle slaughtered during accounting periods beginning after December 25, 1943, at the following rates for each grade:

| | Cents a pound |
|-------------------------|------------------|
| AA or Choice | 1.0 |
| A or Good | 1.45 |
| B, Commercial or Medium | .9 |
| C, Utility or Common | .5 |
| Canner and Cutter | .5 |
| Bologna Bulls | .5 |

(b) *Reporting*. Every applicant who files an application for cattle slaughtered in an accounting period beginning after December 25, 1943, shall report by grades the dressed carcass weight of beef produced from such cattle, and payment will be based on the live weight equivalent of the amount in each grade at separate grade rates, except that:

(1) Any applicant who slaughters 25,000 pounds or less of cattle, live weight, in all his establishments (including cattle custom killed for him) in any one accounting period may file applications based only on his total live weight of cattle slaughtered, and the applicable rate of payment shall be one cent (\$0.01) a pound for all of his grades of cattle.

(2) Any applicant who slaughters more than 25,000 pounds of cattle, live weight, in all of his establishments (including cattle custom killed for him) in any one accounting period may file application reporting his total live weight of cattle slaughtered and the applicable rate of payment shall be five-tenths of a cent (\$0.005) a pound for each of his grades of cattle.

(c) *Grading*. Every applicant who reports his cattle slaughter by grades in accordance with paragraph (b) of this section, shall report the carcass grades as determined by an official grader of the United States Department of Agriculture, unless the applicant has applied for grading by such an official and has been refused such grading in writing since July 1, 1943. If an applicant reports by carcass grades determined by his own grader, payment shall be made by grades at the separate grade rates, but the total payment shall not exceed the total number of pounds, live weight, of cattle slaughtered, multiplied by one cent (\$0.01) a pound.

(d) *Weighing*. Dressed carcass weights must be reported as chilled weights, after twenty-four hours in the cooler, less allowance for washing, shrouding, and other factors which would distort the percentage of the total weight represented by each of the various grades, or result in either overstating or understating the actual dressed carcass chilled weights.

(e) *Amount of live weight*. Payment will be made at the separate grade rates on the total amount of actual live weight of cattle slaughtered in all grades, distributed among the grades in the same proportion as the calculated live weight in each grade computed from the dressed weight in that grade by using the applicable conversion factors certified to Defense Supplies Corporation by the Office of Price Administration and the War Food Administration. The calculated live weight in each grade shall be that computed in accordance with § 7003.17 (b).

A new § 7003.16 is added as follows:

§ 7003.16 *Cost of live cattle*. Every applicant, except as provided in paragraphs (b) and (c) of this section, who files an application for payment for cattle slaughtered during an accounting period beginning after December 25, 1943, shall report his total cost of cattle purchased during such an accounting period on forms approved by Defense Supplies Corporation.

(a) *Applications for payment by grade*. Every applicant who files an application for payment reporting slaughter by grades in accordance with § 7003.15, for cattle slaughtered during an accounting period beginning after December 25, 1943, shall report on each such application his total cost of live cattle purchased during the period covered by this application for slaughter in the establishment covered by the claim, subject to the following qualifications:

(1) Such applications shall report only cost of cattle purchased for slaughter within thirty (30) days, and shall not report cost of cattle purchased for resale alive, or purchased for feeding for more than thirty (30) days.

(2) Such applications shall not include any cattle slaughtered which were not purchased by the applicant within thirty (30) days of slaughter.

(3) Such applications shall not include cattle slaughtered which were purchased by the applicant from a member of a 4-H Club, Future Farmers of America, or other recognized farm youth organizations, if such sales are made at the place and time of a fair, show or exhibition.

(b) *Separate application for payment by grade on cattle excluded under § 7003.16 (a)*. (1) Every applicant who files an application for payment reporting slaughter by grades, for cattle slaughtered during an accounting period beginning after December 25, 1943, may file separate applications for cattle slaughtered during such accounting period which are excluded from his applications under paragraphs (a) (2) and

¹⁸ F.R. 17014, 9 F.R. 709. Certification filed as part of the original document.

(a) (3) of this section. Such separate applications shall report the slaughter by grades; shall not include a report of the cost of such cattle; shall be filed with the application covering other cattle slaughtered in the same establishment during the same period; and, in the case of cattle excluded under paragraph (a) (3) of this section, shall be accompanied by a written statement approving such sale, signed by a county agricultural agent, a county club agent, a vocational agricultural instructor, or the chief administrator of the state department of agriculture. All pertinent provisions of this regulation shall apply to such separate applications.

(2) If records are not available to make complete separate reports of the cattle slaughtered, for cattle purchased for slaughter within thirty (30) days and for the cattle which were not purchased by the applicant within thirty (30) days of slaughter, Defense Supplies Corporation shall have the right to require reports and applications in such form as will supply information as to the applicant's cost of live cattle.

(c) *Applications for payment without grading.* (1) Any applicant who elects, under § 7003.15, paragraph (b) (1), to file an application for payment based on his total live weight of cattle slaughtered, shall not be required to report his cost of cattle purchased during such accounting period.

(2) Any applicant who elects, under § 7003.15, paragraph (b) (2), to file an application for payment based on his total live weight of cattle slaughtered, shall be required to report his cost of cattle purchased during such accounting period, and all the cattle he purchased shall be considered to be of the grade of bologna bulls in computing his permissible maximum cost, and of the grade of cutter and canner in computing his permissible minimum cost under § 7003.17, paragraph (c).

A new § 7003.17 is added, as follows:

§ 7003.17 *Deductions from applications for cattle.* Defense Supplies Corporation shall deduct from each claim covering cattle slaughtered during any accounting period beginning after December 25, 1943, of any applicant who is required to report the amount of his cost of cattle by § 7003.16 of this regulation, the net amount by which the total of the cost to such slaughterer of live cattle purchased during such accounting period either (1) is below the total cost he would have had at the lower of the applicable established prices, or (2) exceeds the total cost he would have had at the higher of the applicable established prices. Such deductions shall be computed as follows:

(a) *Cost of cattle.* The total cost of cattle shall include all charges for transportation to the applicant's establishment, including charges for feeding, watering, and bedding en route, but shall not include commissions or other service charges, or any allowance for shrinkage, subject to the following qualifications:

(i) "Hard wheat" means any of the purchased during the period covered by the application, for slaughter within thirty (30) days in the establishment covered by the application, except that De-

fense Supplies Corporation shall have the right to require an allowance for changes in inventory of live cattle at the beginning and end of such period.

(2) There may be deducted from the cost of cattle purchased in any one market during an accounting period, and slaughtered in any establishment east of a line following the eastern side of Lake Michigan, the eastern boundary of Indiana, and the Ohio and Mississippi rivers to the Gulf of Mexico, an amount equal to 80% of the actual cost of railroad freight paid on such cattle from that market to the applicant's establishment, not to exceed 45¢ a live hundred weight from any one market.

(b) *Calculated live weight slaughtered in each grade.* The amount of live weight in each grade shall be calculated by dividing the amount of dressed weight in each grade produced from cattle slaughtered in an establishment during an accounting period, by the conversion factors (yields or dressing percentages) certified by the Office of Price Administration and War Food Administration to Defense Supplies Corporation as applicable to the zone or market in which the establishment is located.

(c) *Permissible cost.* The calculated live weight in each grade shall be multiplied by the lower price and by the higher price of established prices applicable to the establishment and the resulting amounts for each grade shall be totaled to give total minimum and maximum permissible cost: *Provided*, That:

(1) On applications filed in accordance with paragraph (c) (2) of § 7003.16, the total minimum permissible cost shall be computed by multiplying the total live weight of cattle by the lower price of the established prices for cutter and canner cattle applicable to that establishment, and the total maximum permissible cost shall be computed by multiplying the total live weight of cattle by the higher price of the established prices for bologna bulls applicable to that establishment; and

(2) The established prices applicable during an accounting period shall be the established prices certified to Defense Supplies Corporation and published in the FEDERAL REGISTER prior to the beginning of such accounting period, or, at the option of the applicant, the prices so certified and published after ten (10) days prior to the beginning of such accounting period and before the end of such accounting period.

(d) If the actual cost of cattle is above the minimum and below the maximum permissible cost, no deduction shall be made from the claim.

(e) If the actual cost of cattle is below the minimum, or above the maximum permissible cost, the amount it is below the minimum or above the maximum shall be deducted from the total amount of the claim.

This amendment shall become effective as of December 18, 1943.

Issued this 18th day of December 1943.

GEORGE H. HILL, Jr.,
Executive Vice President.

[F. R. Doc. 44-2123: Filed, February 12, 1944;
10:25 a. m.]

[Reg. 4]

PART 7004—FLOUR PRODUCTION PAYMENTS

Sec.

| | |
|---------|-----------------------------------------|
| 7004.1 | Definitions. |
| 7004.2 | Persons eligible to apply for payments. |
| 7004.3 | Filing applications for payments. |
| 7004.4 | Records. |
| 7004.5 | Rate of payment. |
| 7004.6 | Base of payment. |
| 7004.7 | Registration of applicants. |
| 7004.8 | Determination of wheat ground. |
| 7004.9 | Terms of payment. |
| 7004.10 | Right to declare claims invalid. |
| 7004.11 | Right to modify or revise claims. |
| 7004.12 | Termination. |
| 7004.13 | Effective date. |

AUTHORITY: §§ 7004.1 to 7004.13, inclusive, issued under sec. 5d of the Reconstruction Finance Corporation Act, as amended, 52 Stat. 212, 54 Stat. 573; 15 U.S.C. 606b; Defense Supplies Corporation Charter, 6 F.R. 2972.

§ 7004.1 *Definitions.* When used in this regulation, the following terms shall have the following meanings:

(a) "Person" means an individual, corporation, partnership, association, institution, or other business entity, or legal successor or representative of any of the foregoing.

(b) "Miller" means a person who operates a mill and grinds wheat into flour, whether or not he owns the wheat at the time of grinding.

(c) "Flour" means flour from wheat, farina and semolina as defined in paragraphs (6), (13) and (15) of section 16 (a) of Revised Maximum Price Regulation No. 296 issued by the Office of Price Administration, as amended, or as it may be amended or revised from time to time. Flour shall not include wheat products ground for feed for other than human consumption, nor wheat products produced during a continuing process of manufacturing processed wheat products other than flour or flour mixes.

(d) "Mill" means each separate establishment within the continental United States where wheat is ground into flour.

(e) "Applicant" means any person who files a claim for payment under this regulation.

(f) "Claim" means a right to payment on an applicant filed pursuant to this regulation.

(g) "Pacific Coast Area" means the entire states of California, Oregon, Washington, Idaho, Nevada, and Utah.

(h) "Bushel" means sixty (60) pounds of wheat weighed before cleaning.

(i) "Dockage" means the customary allowance for tare in the wheat, in accordance with the official standards of the United States Department of Agriculture.

(j) "Grind" means to mill wheat to produce flour as defined in paragraph (c) of this section.

(k) "Type of wheat" means any of the three categories of wheat as defined herein, namely, (1) hard wheat, (2) soft wheat, and (3) durum wheat.

(l) "Hard wheat" means any of the varieties of wheat classified according to the official standards of the United States Department of Agriculture in Class I, Class IV, Class VI, A, and all mixtures of wheat containing 10% or less

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than 10% of soft wheat, or 10% or less than 10% of durum wheat.

(m) "Soft wheat" means any of the varieties of wheat classified according to the official standards of the United States Department of Agriculture in Class V, Class VI, B, C, or D, and all mixtures of wheat containing more than 10% of wheat of such classes and subclasses.

(n) "Durum wheat" means any of the varieties of wheat classified according to the official standards of the United States Department of Agriculture in Class II or Class III, and all mixtures containing more than 10% of wheat of such classes, and 10% or less than 10% of soft wheat.

(o) "Forward sales of flour" means the amount of unfilled orders to deliver flour, as defined in paragraph (c) of this section, which the applicant has contracted to deliver at a fixed price. Sales of flour shall include commitments between affiliated companies if such commitments are customarily booked as forward sales by the milling division or company.

(p) "Net forward sales of flour" means forward sales of flour less the amount of flour which the applicant owns in bulk storage or packed ready for delivery.

§ 7004.2 Persons eligible to apply for payments. Any miller may file an application for payment on account of wheat ground into flour in all of his mills on and after December 1, 1943.

§ 7004.3 Filing applications for payment—(a) Place of filing. Application for payment shall be filed with Defense Supplies Corporation at the regional office for the district in which the mill is located, except that a person operating more than one mill must file application for payment at the regional office for the district in which his main office is located. Appendix A lists the offices of Defense Supplies Corporation.

(b) *Time of filing.* Application for payment shall be filed after the last day of the month in which the wheat is ground and on or before the last day of the calendar month following the end of the month in which the wheat is ground.

(c) *Form of application.* All applications for payment shall be filed in triplicate on forms approved by Defense Supplies Corporation and all information therein provided for shall be supplied. One and only one application can be filed on account of wheat ground during a month by an applicant in all of his mills.

(d) *Supporting document.* Every applicant who has made sales or deliveries of whole wheat flour to any one customer during a calendar month after November, 1943, in the amount of 20,000 pounds or more, shall file with his application for payment on account of wheat ground during that month a certified statement reporting all such sales or deliveries.

§ 7004.4 Records—(a) Records required. Every applicant must keep accurate records of purchases, sales, deliveries and inventories of flour, and of wheat by types.

(b) *Inspection of records.* Every applicant shall preserve for inspection for a period of not less than two years after

the date of filing an application, books, records, and other documents which furnish information in support of such application and Defense Supplies Corporation or its designated agents shall have the right at any time to make such examinations and audits of the books, records and other documents as may be necessary to ascertain the facts set forth in such application or as may be required by Defense Supplies Corporation.

(c) *Failure to comply.* Defense Supplies Corporation shall have the right to declare invalid any claim of an applicant who has failed to comply with the requirements of this section.

§ 7004.5 Rate of payment—(a) In general. Defense Supplies Corporation will make payment on approved claims at rates computed by subtracting from the current market prices for wheat, the prices used by the Office of Price Administration as basic related wheat prices in establishing maximum prices for flour in Revised Maximum Price Regulation No. 296, subject to the following qualifications:

(1) There shall be one rate for all types of wheat ground into flour by mills in the Pacific Coast area.

(2) There shall be separate rates on hard wheat, on soft wheat and on durum wheat ground into flour by mills outside the Pacific Coast area.

(3) The rates shall be in units of one-half of one cent (\$.005).

(4) The rates shall never exceed the difference between the flour ceiling-related wheat prices and parity prices for wheat plus two and one-half cents (\$.025) allowance for further charges above those included in the parity prices.

(b) *Change in rate.* Changes in rates may be made by Defense Supplies Corporation at any time and such changes shall become effective on the first day of the month following the month in which the announcement of such changes is made. Every person registered with Defense Supplies Corporation in accordance with § 7004.7 below will be notified of such announcements.

(c) *Determination of applicable rate—(1) In general.* Except as otherwise provided, the rates of payment on account of wheat ground during a month shall be the rates in effect during the month in which the wheat was ground.

(2) *On wheat ground to produce flour previously sold.* If the applicant has registered forward sales of flour in accordance with § 7004.7 of this regulation, and has forward sales of flour booked at the beginning of the month, the rate of payment on account of wheat ground during that month up to the amount of such forward sales of flour shall be the rate or rates in effect at the time the flour produced from such wheat was sold. In determining which sale of flour is applicable to wheat ground, Defense Supplies Corporation will apply the first-in-first-out principle and not follow individual transactions, either as to dates of delivery or types of wheat necessary to produce the flour.

(3) *Cancelled contracts for the sale of flour.* In determining the amount of forward sales of flour, the amount of

contracts for the sale of flour which have been cancelled on and after December 1, 1943, will be deducted from the sales of flour outstanding during the month in which the rate of subsidy is higher of either (1) the month in which the cancellation occurred, or (2) the month in which the sale was booked. No cancellations after December 1, 1943, will be deducted from the net forward sales of flour registered in accordance with § 7004.7 of this regulation:

§ 7004.6 Base of payment. Payments will be made on the amount of wheat of each type ground on and after December 1, 1943, subject to the following qualifications:

(a) No payment will be made on wheat ground or processed into any other products than flour as defined in § 7004.1, paragraph (c) of this regulation.

(b) No payments will be made on imported wheat ground in bond.

(c) Payments will not be made on account of a greater number of bushels of wheat than the number required, at the rate of 2.35 bushels for a hundred-weight of flour, to produce the amount of flour ground by the applicant during the period covered by this application.

(d) No payment will be made on the wheat ground into flour on and after December 1, 1943, and prior to the date of termination of this regulation, to produce the amount of the net forward sales of flour, made by the applicant and unfilled at the close of business on November 30, 1943, and registered with Defense Supplies Corporation in accordance with § 7004.7 below.

(e) Payment will be made on the wheat ground into flour within one hundred and twenty (120) days after the termination of this regulation, not to exceed whichever is lower of (1) the amount of wheat which has been deducted in accordance with paragraph (d) of this section, and (2) the number of bushels required to produce the amount of net forward sales of flour made by the applicant and unfilled at the close of business on the day preceding the day notice is given of termination, provided that in computing the amount of such net forward sales of flour, a deduction will be made of the amount of contracts which include a provision for determination of the price at the time of delivery.

§ 7004.7 Registration of applicants. Every applicant shall register with Defense Supplies Corporation before filing his first application for payment on forms provided by Defense Supplies Corporation. Registration shall be by each applicant, not by each mill, and shall include a report of total net forward sales of flour unfilled at the close of business on November 30, 1943, except that a person who ground less than 110,000 bushels of wheat during the first eleven months of 1943, may register with Defense Supplies Corporation by reporting his total grind during such period, the daily capacity of his mill or mills and his inventory of flour at the close of business on November 30, 1943. If such person registers in accordance with this exception, he shall be considered to have no

net forward sales of flour; he will have no deductible amounts under § 7004.6 (d); he will have no right to additional payments under § 7004.6 (e); and the rate of payment applicable to the amount of wheat he grinds during a month will be the rate in effect during that month.

§ 7004.8 *Determination of wheat ground.* The amount of each type of wheat ground during a month shall be the actual number of bushels of wheat of that type ground during the month into flour as defined in paragraph (c) of § 7004.1, determined in the following manner:

(a) One sixtieth ($\frac{1}{60}$) of the number of pounds of wheat of each type weighed into the mill bin or hopper of the mill during the month, and ground into flour, less allowance for dockage.

(b) If records are not available to use the method of paragraph (a) of this section, the number of bushels of each type ground during a month shall be: the inventory of wheat of that type in the mill elevator at the beginning of the month, plus additions of that type to inventory during the month, less wheat of that type taken out during the month for uses other than grinding into flour by that mill, less inventory of wheat of that type in the mill elevator at the end of the month, less allowance for dockage. This calculation shall be in terms of bushels of wheat.

(c) If records are not available to use the methods of either paragraphs (a) or (b) of this section, the number of bushels of each type ground during a month shall be determined in accordance with the customary practice of the mill, less allowance for dockage, by special permission of Defense Supplies Corporation.

§ 7004.9 *Terms of payment.*—(a) *Partial payment.* A claim may be paid in whole or in part.

(b) *Persons to whom payments are to be made.* Payments will be made only to the person who files the claim with the Defense Supplies Corporation. No claim filed pursuant to this regulation shall be assignable except as a part of a bona fide transfer of the applicant's business to a legal successor.

(c) *Frequency.* Payments will be made monthly upon preliminary approval of the claim.

(d) *Terms.* Preliminary approval and payment of claims shall not constitute final acceptance of the validity or amount of the claim. On a finding that the claim is invalid or defective, Defense Supplies Corporation shall have the right to require restitution of any payment or any part thereof. Any sums found to be due to Defense Supplies Corporation shall be deductible against any accrued or subsequent claim for any payment of Defense Supplies Corporation to the person.

§ 7004.10 *Right to declare claims invalid.* Defense Supplies Corporation shall have the right to declare invalid, in whole or in part, any claim which does not meet the requirements of this regulation, and any claim filed by an applicant who, in the judgment of the War Food Administrator or the Price Administrator has wilfully violated any

regulation of their respective Agencies, applicable to the purchase, sale or distribution of wheat or flour.

§ 7004.11 *Right to modify or revise claims.* Upon announcement of any decision or interpretation issued hereunder, any applicant may within thirty (30) days, apply to Defense Supplies Corporation for the right to modify or revise any claims theretofore filed which are affected by such decision or interpretation and which accrued within the period of ninety (90) days immediately preceding the first of the month following the date when the decision or interpretation was announced. If Defense Supplies Corporation finds justification for reopening the claim, it shall so notify the applicant and the latter may thereupon submit a new application for payment which shall be processed in the same manner as though submitted within the required time.

§ 7004.12 *Termination.* This regulation may be terminated at any time after ten (10) days notice. Such termination shall not preclude the filing of applications (1) on account of wheat ground on or before the date of termination for which the applicant would otherwise have been eligible, and (2) on account of wheat ground within one hundred and twenty (120) days after the date of termination, as provided in § 7004.6 (e). Such applications must be filed within thirty (30) days after the end of the month in which such wheat is ground.

§ 7004.13 *Effective date.* This Regulation No. 4 shall become effective as of November 30, 1943.

Issued this 29th day of November 1943.

DEFENSE SUPPLIES CORPORATION,
By GEORGE H. HILL, Jr.,
Executive Vice President.

APPENDIX A—OFFICES OF DEFENSE SUPPLIES CORPORATION

Atlanta: Healey Building, Atlanta 3, Georgia.

Birmingham: Comer Building, Birmingham 3, Alabama.

Boston: 40 Broad Street, Boston 9, Massachusetts.

Charlotte: Wilson Building, 109 West Third St., Charlotte, North Carolina.

Chicago: 208 South LaSalle Street, Chicago 4, Illinois.

Cleveland: Federal Reserve Bank Building, Cleveland 1, Ohio.

Dallas: Cotton Exchange Building, Dallas 1, Texas.

Denver: Boston Building, Denver 2, Colorado.

Detroit: 607 Shelby Street, Detroit 26, Michigan.

Helena: Power Block, Helena, Montana.

Houston: Rusk Building, 723 Main Street, Houston 2, Texas.

Jacksonville: Western Union Building, Jacksonville 2, Florida.

Kansas City: Federal Reserve Bank Building, Kansas City 6, Missouri.

Little Rock: Pyramid Building, Little Rock, Arkansas.

Los Angeles: Pacific Mutual Building, Los Angeles 14, California.

Louisville: Lincoln Bank Building, 421 West Market Street, Louisville 2, Kentucky.

Minneapolis: McKnight Building, Minneapolis 1, Minnesota.

Nashville: Nashville Trust Building, Union Street, Nashville 3, Tennessee.

New Orleans: Union Building, 837 Gravier Street, New Orleans 12, Louisiana.

New York: Federal Reserve Bank Building, 33 Liberty Street, New York 5, New York.

Oklahoma City: Cotton Exchange Building, Oklahoma City 2, Oklahoma.

Omaha: Woodmen of the World Building, Omaha 2, Nebraska.

Philadelphia: 1528 Walnut Street, Philadelphia 2, Pennsylvania.

Portland: Pittock Block, Portland 5, Oregon.

Richmond: Richmond Trust Building, Richmond 19, Virginia.

St. Louis: Landreth Building, 320 North Fourth Street, St. Louis 2, Missouri.

Salt Lake City: Dooley Building, Salt Lake City 1, Utah.

San Antonio: Alamo National Building, San Antonio 5, Texas.

San Francisco: 200 Bush Street, San Francisco 4, California.

Seattle: Dexter Horton Building, Seattle 4, Washington.

Spokane: Columbia Building, Spokane 8, Washington.

[F. R. Doc. 44-2124; Filed, February 12, 1944; 10:25 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration
(Distribution Orders)

[FDO 22-6]

PART 1425—CANNED AND PROCESSED FOODS

CANNED VEGETABLES, CANNED FRUITS, CANNED VEGETABLE JUICES, AND CANNED FRUIT JUICES REQUIRED TO BE SET ASIDE DURING 1944

Pursuant to the authority vested in me by Food Distribution Order No. 22, issued by the Secretary of Agriculture on February 19, 1943, as amended (8 F.R. 2243 and 6397), and to effectuate the purposes thereof, it is hereby ordered as follows:

§ 1425.8 *Quota restrictions and allocations.*—(a) *Definitions.* The definitions contained in Food Distribution Order No. 22, as amended, shall, when used herein, have the same meaning as set forth in Food Distribution Order No. 22, as amended; and when used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "quota period" means the period from January 1, 1944, to December 31, 1944, both inclusive.

(2) The term "base period" means the period from January 1, 1942, to December 31, 1943, both inclusive.

(3) The term "base pack" means, when applied to each canned food listed in column A of table 1 attached hereto and by this reference made a part of this order, one-half the total amount, by net weight, of all types, styles, varieties, and grades of such food canned by the respective canner or processor during the base period: *Provided*, That if the respective canner or processor canned any particular food listed in column A of table 1 during only one of the two calendar years of the base period, his base pack for that food shall be his total pack, by net weight, of such food during the said calendar year in which he canned the said food. In the event a canner or processor packed any product listed in column A of

table 1 attached hereto during the base period at any plant which he does not operate during the quota period, there shall be deducted, in computing his base pack, the portion represented by his production at such plant during the base period. In the event a canner or processor packs any product listed in said column A of table 1 during the quota period at any plant which he did not operate during the base period, there shall be added, in computing his base pack, the proportionate quantity represented by the production, if any, of the person who operated such plant during the base period.

(b) *Applicability of this order.* The terms and conditions of this order shall be applicable to (1) all canned vegetables, canned fruits, canned vegetable juices, and canned fruit juices listed in column A of table 1 which are packed during the quota period in any of the 48 States of the United States or the District of Columbia, and (2) all canned pineapple and canned pineapple juice which are packed during the quota period in the Territory of Hawaii.

(c) *Set-aside restrictions.* Each canner or processor who packs any canned vegetable, canned fruit, canned vegetable juice, or canned fruit juice covered under this order during the quota period shall, to the extent that the quantity so packed may be adequate, set aside and thereafter hold for sale and delivery to Government agency from his pack of each such product, for the quota period, a quantity equivalent to the quantity obtained by applying the percentage for the particular product listed in column D of table 1 against his base pack of that product. If the type, style, variety, or grade of the particular product is specified in the aforesaid table 1, the portion set aside shall, so far as available, be in the type, style, variety, and grade so specified; but other types, styles, varieties, or grades in the possession of a particular canner or processor as may be specified by the procuring Government agency shall be substituted to the extent that those specified in said table 1 have not been packed by such canner or processor. In the event a canner or processor is preparing to pack, during the quota period, any canned vegetable, canned fruit, canned vegetable juice, or canned fruit juice, listed in column A of said table 1, which he did not pack during the base period and for which unlimited tinplate is available under § 3270.31 of Conservation Order M-81, issued by the War Production Board on February 11, 1942, as amended (7 F.R. 947, 10321, 8 F.R. 14455, 9 F.R. 82), he shall so inform the Director by letter, and state therein the quantity of such product which he anticipates that he will pack; and such canner or processor shall set aside for sale and delivery to Government agency a portion of his pack of each such product for the quota period equivalent to the quantity obtained by applying the percentage for the particular product, listed in column D of table

1, against his total production of such product during the quota period.

(d) *When entire pack not set aside for Government agency.* (1) In the event a canner or processor packs any canned vegetable, canned fruit, canned vegetable juice, or canned fruit juice, listed in column A of table 1, for non-governmental requirements as well as for governmental requirements, the portion of each such product required to be set aside by him for Government agency shall be set aside as follows: (i) At least two-thirds of the set-aside portion, if it is available, shall be taken from the first preference grade of the canned product, as specified in column F of table 1, but, if the quantity of the said first preference grade which is available is not sufficient to meet that requirement, the total quantity of such first preference grade shall be set aside for Government agency; (ii) To the extent that the quantity set aside for Government agency from the first preference grade in accordance with the provisions of (i) above may fail to complete his set-aside quota, he shall set aside from his production of the second preference grade of the canned product, as specified in column G of table 1, such quantity to complete his set-aside quota as may be available, but, if the quantity of said second preference grade which is available is not sufficient to complete such set-aside quota, the total quantity of such second preference grade shall be set aside for Government agency; and (iii) To the extent that the quantities set aside for Government agency from the first and second preference grades in accordance with the provisions of (i) and (ii) above may fail to complete his set-aside quota, he shall set aside from his production of his third preference grade of the canned product, as specified in column H of table 1, sufficient of such quantity to complete his set-aside quota as may be available: *Provided*, That, if there is an insufficient quantity of all three preference grades to complete his set-aside quota, he shall set aside from such other grades in his possession as may be designated by Government agency sufficient of such quantity to complete his set-aside quota as may be available.

(2) In the event a canner or processor packs a canned product covered hereunder partly in tinplate containers and partly in glass containers, the portion to be set aside for Government agency from the several preference grades of such product in accordance with the provisions of (d) (1) hereof shall be that which is packed in tinplate to the extent that such type of pack is available in the respective grades; and the particular product packed in glass containers shall be set aside from any such preference grade only in the event and to the extent necessary to meet any such deficiency when there is not enough of that product of that preference grade packed in tinplate to meet the set-aside requirements for such grade.

(3) Within the limits of, and subject to the restrictions, set forth in (d) (1)

and (2) hereof, a minimum of one-half and a maximum of two-thirds (except with the consent of the particular procuring Government agency) of the quota of any canned product for Government agency shall be set aside in the largest can size specified for that product in column I of table 1 to the extent that the product packed in such largest can size is available in the respective preference grades, and the remainder, if any, of the set-aside quota for the canned product shall be in the other can sizes, if any, specified in said column I of table 1: *Provided*, That the portion of the set-aside quantity of the canned product represented by the contingency reserve percentage for such product shown in column C of table 1 may, at the option of the particular canner or processor, be packed and set aside in any can size permitted under the aforesaid Conservation Order M-81, as amended.

(e) *Reports.* The reports required by § 1425.1 (c) of Food Distribution Order No. 22, as amended, shall be submitted on Form FDA-685. The reports shall be submitted to the Director within 15 days after the completion of the pack. (This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(f) *Purchase, inspection, and specifications.* The Army of the United States is hereby allocated the quotas prescribed herein for Government agency, and the Army may purchase said quotas for its own account or the account of other Government agencies whenever it has agreed with such agencies to do so. The Army of the United States and the Office of Distribution, respectively, are authorized to inspect and grade such canned foods pursuant to § 1425.1 (d) of Food Distribution Order No. 22, as amended. The Army of the United States is authorized to issue specifications at any time with regard to the processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping of such canned foods pursuant to § 1425.1 (b) (5) of Food Distribution Order No. 22, as amended.

(g) *Provisions of Director Food Distribution Orders Nos. 22-4, as amended, and 22-5 not affected.* The provisions of this order shall not be considered as rescinding or modifying the provisions of Director Food Distribution Order No. 22-4, as amended (8 F.R. 6573 and 11590), or the provisions of Director Food Distribution Order No. 22-5 (8 F.R. 16097).

(h) *Effective date.* This order shall be effective as of 12:01 a. m. e. w. t., February 11, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO No. 22, as amended, 8 F.R. 2243 and 6397)

Issued this 11th day of February 1944.

LEE MARSHALL,
Director of Food Distribution.

FEDERAL REGISTER, Wednesday, February 16, 1944

TABLE 1—CANNED VEGETABLES, CANNED FRUITS, CANNED VEGETABLE JUICES, AND CANNED FRUIT JUICES

| A Product | B | C | D | E Type, style variety (sequence does not denote preference) | F | G | H | I | |
|--------------------------|-------------------------|---------------------|---------------------|----------------------------------------------------------------|---------------------|------------------------------|---------------------|------------------------------------------|--|
| | Percentage of base pack | | | | Grade preferences | | | Can size | |
| | Specific reserve | Contingency reserve | Total (cols. B & C) | | First | Second | Third | | |
| Apples | 68 | 7 | 75 | Heavy pack | Standard | Fancy | | 10. | |
| Applesauce | 47 | 5 | 52 | | Fancy | Standard | | 10-2 | |
| Apricots | 63 | 7 | 70 | Halved, unpeeled | Choice | Standard (fancy not desired) | Pie or water pack | 10-2½ | |
| Berries ¹ | 68 | 7 | 75 | | Water pack | (?) | | 10. | |
| Blueberries | 68 | 7 | 75 | | Water pack | (?) | | 10. | |
| Cherries | 68 | 7 | 75 | Water pack | Standard | | | 10-2. | |
| Figs | 42 | 4 | 46 | Kadota | Choice | | | 10-2½. | |
| Fruit Cocktail | 63 | 7 | 70 | | Choice | | | 10-2½. | |
| Peaches | 63 | 7 | 70 | Yellow clingstone halved or sliced | Choice | Top std. ² | | 10-2½. | |
| Pears | 63 | 7 | 70 | Freestone yellow halved or sliced | Choice | Fancy | | 10-2½. | |
| Pineapple | 63 | 7 | 70 | Bartlett, halved | Choice | Top std. ³ | Fancy | 10-2½. | |
| Pineapple Juice | 65 | 7 | 72 | Sliced, crushed, chunks, tidbits (except cocktail tidbits) | Fancy | Choice | Std. | 10-2½-2. | |
| Asparagus | 48 | 5 | 53 | All green or culturally bleached | Fancy cut | Fancy spear | | 10-3 cyl-2. | |
| Beans, Lima | 51 | 5 | 56 | Fresh | Extra Std | Top Std. ³ | | 10-2. | |
| Beans, snap | 49 | 5 | 54 | Green, wax-cut | Extra Std | Top Std. ³ | Fancy | 10-2½-2. | |
| Beets | 53 | 5 | 58 | Cut, quartered, diced, sliced | Fancy | Top Std. ⁴ | Fancy | 10-2½-2. | |
| Carrots | 143 | 7 | 150 | Diced | Fancy | Top Std. ⁴ | | 10-2½-2. | |
| Corn, sweet ⁵ | 28 | 3 | 31 | White, yellow-cream style, whole kernel | Fancy or extra Std | Top Std. ³ | | 10-2. | |
| Peas | 37 | 4 | 41 | Alaska 3, 4 sieve; sweet 3-sieve and larger, ungraded | Extra Std | Top Std. | Fancy | 10-2. | |
| Pumpkin or squash | 37 | 4 | 41 | | Fancy | Top Std. ⁴ | | 2½. | |
| Spinach | 44 | 4 | 48 | | Fancy | Top Std. ⁴ | | 10-2½-2. | |
| Tomatoes | 49 | 5 | 54 | | Extra Std | Top Std. ³ | Fancy | 10-2½-2. | |
| Tomato catsup | 51 | 5 | 56 | | Fancy 29-33% solids | Fancy 33% solids or over | Fancy 25-29% solids | 10-3 cyl. 12½-2. 14 oz. glass or larger. | |
| Tomato juice | 58 | 6 | 64 | Heavy (minimum specific gravity—1.045) | Fancy | | | 10-3 cyl. 2. | |
| Tomato puree | 25 | 3 | 28 | | Fancy | | | 10. | |
| Tomato paste | 23 | 3 | 26 | | Fancy | | | 10-2½-2-6 oz. | |

¹ Blackberries, boysenberries, loganberries, youngberries only. Percentage applies to combined pack of these four varieties.² Syrup pack not desired.³ Top standard means 70-74 inclusive as defined in terms of U. S. grades.⁴ Top standard means 80-84 inclusive as defined in terms of U. S. grades.⁵ Full inside enamel cans required. Number 10 cans to be used for whole kernel only.

[F. R. Doc. 44-2119; Filed, February 12, 1944; 12:06 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 6—NAVAL RESERVE¹

WOMEN'S RESERVE; COMPOSITION, COMPENSATION, RATINGS, ETC.

Sections 6.12201 (c), 6.12205 and 6.12301 (a), (c) (1) are amended to read as follows:

§ 6.12201 Composition. * * *

(c) The Women's Reserve shall be composed of women trained and qualified for duty in the shore establishment of the Navy to release male officers and men of the Naval Service for duty at sea. They may be commissioned in ranks not above captain, and enlisted in such appropriate ratings, corresponding to those of the Regular Navy, as may be prescribed by the Secretary of the Navy.

§ 6.12205 Compensation for disability or death in line of duty; dependent allowances, etc. Members of the Women's Reserve or their dependents, shall be entitled to all allowances or benefits provided by law for male officers and enlisted men with dependents. The husbands of such members shall not be considered dependents and the children

of such members shall not be considered dependents unless their father is dead or they are in fact dependent on their mother for their chief support.

§ 6.12301 Ranks, grades, ratings and classes. (a) Commissioned officers shall be appointed to service during the pleasure of the President, but not to exceed six months after the termination of the war. There shall be allowed not more than one officer in the grade of captain. The class designation for officers and midshipmen shall be "W-V(S), USNR."

* * * * *

(c) * * * * *

(1) Class V-9: Women enlisted as apprentice seamen for training preliminary to appointment as midshipmen, W-V(S), U. S. Naval Reserve, and further training for commission in the U. S. Naval Reserve. [Manual Circular Letter No. 4-44, Dec. 29, 1943]

(52 Stat. 1175, 54 Stat. 162, 55 Stat. 3, 56 Stat. 266, 730, 739, Pub. Law 183, 78th Cong.; 34 U.S.C. 853, 854e, Supp. 855f, 855o, 857-857g, 853c, 853e, 855d)

RALPH A. BARD,
Acting Secretary of the Navy.

[F. R. Doc. 44-2201; Filed, February 15, 1944; 10:51 a. m.]

* Subpart L, 8 F.R. 9711, 12635.

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary

PART 2a—TESTIMONY OF EMPLOYEES AND USE OF BOOKS, RECORDS AND FILES IN JUDICIAL AND ADMINISTRATIVE PROCEEDINGS

Correction

F.R. Doc. 44-2135, appearing at page 1728 of the issue for Tuesday, February 15, 1944, should be designated Part 2a instead of Part 8a.

TITLE 46—SHIPPING

Chapter I—Coast Guard; Inspection and Navigation

Subchapter K—Seamen

PART 138—RULES AND REGULATIONS FOR ISSUANCE OF CERTIFICATES AND CONTINUOUS DISCHARGE BOOKS

Pursuant to the authority of section 4551 of the Revised Statutes, as amended (46 U.S.C. 643), and Executive Order No. 9083, dated February 28, 1942 (7 F.R. 1609), the Rules and Regulations for Issuance of Certificates and Continuous Discharge Books are amended, effective March 1, 1944, as follows:

Paragraphs (i) and (j) of section 138.9 are amended to read as follows:

§ 138.9 Rules and regulations covering discharge of seamen * * *

(1) The master of every merchant vessel of the United States of the burden of one hundred gross tons or upward, except vessels employed exclusively in trade on the navigable rivers of the United States, fishing and whaling vessels, yachts, ferries and tugs used in ferry operations if such ferries and tugs are employed exclusively in trade on the Great Lakes, lakes (other than the Great Lakes), bays, sounds, bayous, canals, and harbors, and are not engaged on international voyages, and unrigged vessels other than seagoing barges, shall report the employment, discharge, or termination of the services of every seaman not shipped or discharged before a shipping commissioner, or a collector or deputy collector of customs acting as shipping commissioner on Coast Guard Form 735-T in the manner provided in this paragraph.

When a vessel is sailing on a voyage which will extend to the ocean or to the Gulf of Mexico and when coastwise Shipping Articles are opened or when the vessel is departing on a coastwise voyage for which Shipping Articles are not required the master shall, immediately prior to sailing, submit to the Coast Guard Captain of the Port a Form 735-T listing the names, as well as the other data required by the form with the exception of the date and place of discharge, of the master and of each member of the crew. Thereafter, at each domestic port visited on the voyage, the master shall, prior to departure, submit to the Coast Guard Captain of the Port a supplementary report on Form 735-T listing the name, as well as the other data required by the form, of each seaman engaged or discharged or whose services were otherwise terminated since the previous submission of the form. When coastwise Shipping Articles are completed or when a voyage on which Shipping Articles are not required is completed, the master shall submit to the Coast Guard Captain of the Port a Form 735-T listing the names, as well as the other data required by the form, of the master and of each member of the crew on board at the time of the completion of the voyage.

When a vessel is employed exclusively in trade on the Great Lakes, bays or sounds, the master shall submit a Form 735-T, on the last day of each calendar month, listing the name, as well as the other data required by the form—including the dates and places of engagement and discharge, of each seaman employed, discharged, or whose services were otherwise terminated during the calendar month. This form shall be forwarded by the master directly to U. S. Coast Guard Headquarters, Washington, D. C.

Every discharge entry made on a Form 735-T shall agree exactly with the corresponding entry made in a continuous discharge book or on the certificate of discharge issued to a seaman and a record of entry (Form 718-E) or a white copy of a certificate of discharge (Form 718-A, Revised) supporting each discharge shall be attached to any Form 735-T on which discharges are reported.

(j) Any master who fails to comply with the requirements of paragraph (i) of this section is subject to a penalty of \$500.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard,
Commandant.

FEBRUARY 14, 1944.

[F. R. Doc. 44-2214; Filed, February 15, 1944;
11:29 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 180, Amdt. 1]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 12th day of February, A. D. 1944

Upon further consideration of Service Order No. 180 (9 F.R. 1598) of February 5, 1944, as suspended by Service Order No. 180-A (9 F.R. 1679-80) of February 10, 1944, and for the purpose of clarification, and good cause appearing therefor: *It is ordered*, That:

Service Order No. 180 (9 F.R. 1598) of February 5, 1944, as suspended by Service Order No. 180-A (9 F.R. 1679-80) of February 10, 1944, be, and it is hereby amended by substituting the following paragraph (b) and subparagraphs (1), (2), and (3) and an added subparagraph (4) for the present paragraph (b) and subparagraphs (1), (2), and (3) to § 95.330:

(b) *Application*—(1) *Average agreements*. Detention occurring on and after the effective date of this order on all refrigerator cars held for unloading shall not be included in, or computed on the basis of, any average agreement, but, except as otherwise provided in this order or in the orders set forth in paragraph (b) (3), said refrigerator cars shall otherwise be subject to the car demurrage rules and charges set forth in tariffs lawfully on file with this Commission.

(2) *Intrastate and foreign commerce*. The provisions of this order shall apply to intrastate as well as interstate traffic.

(3) *Service orders*. The provisions of this order shall not be construed to affect the provisions of Service Order No. 70 (8 F.R. 8515) of February 3, 1942, as amended (8 F.R. 8515) or Service Order No. 70-A (8 F.R. 14624-25) of October 22, 1943, or Corrected Service Order No. 112 (8 F.R. 2889) of March 3, 1943, as amended (8 F.R. 4488) or Service Order No. 135 (8 F.R. 9569) as amended (8 F.R. 10941).

The provisions of this order shall not apply to detention on refrigerator cars which have been loaded in accordance with the provisions of Service Order No. 104 (8 F.R. 1036) of January 19, 1943, as amended (8 F.R. 5270; 8 F.R. 11852; 8 F.R. 12100-01; 8 F.R. 17428; 9 F.R. 947).

(4) *Domestic and transshipments*. Except as provided in paragraph (b) (3) on and after the effective date of this order the provisions of this order shall apply to detention to any refrigerator car held for any purpose except loading, at any inland point or at any port, whether for domestic delivery or for transshipment by water. The number of days a refrigerator car has been held prior to the effective date of this order shall determine the charges applicable on that refrigerator car on the first full demurrage day and all subsequent demurrage days occurring after the effective date of this order. (40 Stat. 101, Sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., February 16, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-2202; Filed, February 15, 1944;
11:19 a. m.]

Notices

WAR DEPARTMENT.

[W. D. Circ. 50]

MUSTERING OUT PAYMENTS

(a) *Payments to persons discharged or relieved from active service prior to passage of Mustering-out Payment Act of 1944*. Mustering-out payments to those eligible persons who were discharged or relieved from active service under honorable conditions prior to the passage of the Mustering-out Payment Act of 1944 (Public Law No. 225, 78th Congress, approved 3 February 1944) will be made by certain Finance Officers, United States Army, designated by the Fiscal Director, upon receipt of application forms published in local newspapers. Disbursing officers other than those designated, who receive applications erroneously, will forward them to the proper Finance Officer, United States Army.

(b) *Payment to surviving spouse, child or children, or parents*. If any member of the armed forces, after his discharge or relief from active service, dies before receiving any portion or the full amount of his mustering-out payment, the balance of the amount due him will be payable, on appropriate application therefor, to the surviving spouse, if any; and if there is no surviving spouse, then in equal shares to his child or children, if

FEDERAL REGISTER, Wednesday, February 16, 1944

any; and if there is no surviving spouse, child or children, then in equal shares to the surviving parents, if any. Muster-out payment will not be made to any person other than the surviving spouse, child, or children, or parents, in the order stated. The term "spouse" means a lawful wife or husband. The term "child" includes a legitimate child; a child legally adopted and a stepchild, if, at the time of death of the member of the armed forces, such stepchild was a member of the deceased's household. The term "parent" includes father and mother, stepfather and stepmother, and father and mother through adoption. (R.S. 161; 5 U.S.C. 22) [Pars. 5 and 6, W.D. Cir. 50, 4 February 1944]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 44-2183; Filed, February 14, 1944;
5:04 p. m.]

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMA-20]

BENAL COLLIERIES AND C. & S. COAL & CLAY CO.

ORDER TERMINATING GOVERNMENT POSSESSION

I have been advised that no strikes or stoppages have occurred since October 25 or are threatened in the coal mines of Benal Collieries, 343 South Main Street, Butler, Pennsylvania or the C. & S. Coal & Clay Company, Zelienople, Pennsylvania. Based on such advice, and after consideration of all the circumstances, I find that the possession by the Government of such mines is not required for the furtherance of the war program.

Accordingly, I order and direct that the possession by the Government of the mines of the said mining companies, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines be, and it is hereby, terminated and that there be conspicuously displayed at those mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Instruments of agreement and certification having heretofore been executed and filed with the Coal Mines Administration by each of said companies, the appointments of the Operating Managers for their mines are terminated, as provided by section 25 (f), as amended, of the regulations for the operation of coal mines under government control.

HAROLD L. ICKES,
Secretary of the Interior.

FEBRUARY 14, 1944.

[F. R. Doc. 44-2199; Filed, February 15, 1944;
10:07 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6215]

CHARLES P. BLACKLEY

NOTICE OF HEARING

In re application of Charles P. Blackley (New), date filed, August 16, 1941; for construction permit; class of service, Broadcast; class of station, Broadcast; location, Staunton, Virginia; operating assignment specified: Frequency, 1240 kc; power, 250 w; hours of operation, unlimited.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing to be consolidated with Dockets 6564 and 6565, for the following reasons:

1. To determine the extent of any interference which would result from the simultaneous operation of the station proposed herein and the operation of Station WCHV as proposed in application B2-ML-1162 as well as the areas and populations affected thereby, and what other broadcast services are available to these areas and populations.
2. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942 and supplements thereto issued September 22, 1942; August 11, 1943 and January 26, 1944.
3. To determine whether the proposed transmitting equipment complies with § 3.41 of the Commission's rules.
4. To determine whether or not a grant of this application would be consistent with § 3.35 of the Commission's rules relating to multiple ownership.

5. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

6. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Charles P. Blackley, 333 South Liberty Street, Harrisonburg, Virginia.

Dated at Washington, D. C., February 9, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-2177; Filed, February 14, 1944;
12:16 p. m.]

[Docket No. 6564]

BARHAM AND BARHAM (WCHV)

NOTICE OF HEARING

In re application of Charles Barham, Jr., and Emmalou W. Barham, d/b as Barham and Barham, (WCHV), date filed, April 26, 1943, for modification of license; class of service, broadcast; class of station, broadcast; location, Charlottesville, Va.; operating assignment specified: Frequency, 1240 kc; power, 250 w; hours of operation, unlimited.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing to be consolidated with Dockets 6565 and 6215, for the following reasons:

1. To determine the areas and populations which may be expected to gain primary service should Station WCHV operate as proposed, and what other broadcast services are available to these areas and populations.
2. To determine the extent of any interference which would result from the simultaneous operation of Station WCHV as proposed and Station WBBL during daytime hours.
3. To determine the areas and populations which would be deprived of primary service, particularly from Station WBBL as a result of the operation of Station WCHV as proposed and what other broadcast services are available to these areas and populations.
4. To determine the extent of any interference which would result from the simultaneous operation of Station WCHV as proposed and the operation of Station WFVA as proposed in application B2-ML-1169 as well as the areas and populations affected thereby and what other broadcast service is available to these areas and populations.

5. To determine the extent of any interference which would result from the simultaneous operation of Station WCHV as proposed and the operation of the station proposed by Charles P. Blackley, Staunton, Virginia in application B2-P-3285 as well as the areas and populations affected thereby, and what other broadcast services are available to these areas and populations.

6. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942 and supplements thereto issued September 22, 1942; August 11, 1943 and January 26, 1944.

7. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

8. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Charles Barham, Jr., and Emmalou Barham, d/b as Barham & Barham, Radio Station WCHV, 4th & East Market Streets, Charlottesville, Va.

Dated at Washington, D. C., February 9, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-2178; Filed, February 14, 1944;
12:16 p. m.]

[Docket No. 6565]

FREDERICKSBURG BROADCASTING CORP.
(WFVA)

NOTICE OF HEARING

In re application of Fredericksburg Broadcasting Corp., (WFVA), date filed, July 1, 1943, for modification of license; class of service, broadcast; class of station, broadcast; location, Fredericksburg, Va.; operation assignment specified: Frequency, 1240 kc.; power, 250 w.; hours of operation, unlimited, except on Sunday when WBBL operates.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing to be consolidated with Dockets 6564 and 6215, for the following reasons:

1. To determine the areas and populations which may be expected to gain primary service should Station WFVA operate as proposed and what other broadcast services are available to these areas and populations.

2. To determine the extent of any interference which would result from the simultaneous operation of Station WFVA, as proposed, and the operation of Station WCHV as proposed in application B2-ML-1162 as well as the areas and populations affected thereby and what other broadcast service is available to these areas and populations.

3. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942 and supplements thereto issued September 22, 1942; August 11, 1943 and January 26, 1944.

4. To determine whether the granting of this application would tend toward a

fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

5. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Fredericksburg Broadcasting Corp., Radio Station W F V A, 528 Wolfe Street, Fredericksburg, Va.

Dated at Washington, D. C., February 9, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-2179; Filed, February 14, 1944;
12:16 p. m.]

[Docket No. 6046]

WESTERN UNION TELEGRAPH CO. AND RCA
COMMUNICATIONS, INC.

RATES BETWEEN U. S. AND WEST INDIES,
CENTRAL AND SOUTH AMERICA

In the matter of the investigation of the rates and charges applicable to communications between various points in the United States and various points in the West Indies, Central America, and South America.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 8th day of February 1944;

The Commission, having under consideration its report and order of June 22, 1943, herein (T-29), and having also under consideration the fact that The Western Union Telegraph Company and R. C. A. Communications, Inc., have not filed with the Commission rates and charges, and related classifications, practices, and regulations for and in connection with telegraph communication service northbound from Peru to the United States which are in conformity with the principles decided upon in the report and order of June 22, 1943;

It is ordered, That a further hearing be, and it is hereby, directed to be held herein with respect to the matter of rates and charges, and related practices, classifications, and regulations for and in connection with telegraph communication service between the United States and Peru;

It is further ordered, That such further hearing be, and it is hereby, consolidated with the further consolidated hearing

heretofore ordered herein, and scheduled to begin at 10:00 a. m. on the 24th day of February 1944;

It is further ordered, That at such further hearing, R. C. A. Communications, Inc., and The Western Union Telegraph Company shall appear and show cause why the Commission should not order each of them to establish rates and charges, and related practices, classifications, and regulations, for and in connection with telegraph communication service northbound to the United States from Peru, which are in conformity with the principles decided upon in the Commission's report and order of June 22, 1943, herein.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-2180; Filed, February 14, 1944;
12:16 p. m.]

[Docket Nos. 6575, 6046]

WESTERN UNION TELEGRAPH CO. AND CABLE
AND WIRELESS OF WEST INDIES, LTD.

RATES BETWEEN U. S. AND WEST INDIES,
CENTRAL AND SOUTH AMERICA

In the matter of the Western Union Telegraph Company and Cable and Wireless of West Indies, Ltd. Charges for telegraph communications between Puerto Rico and the United States. In the matter of the investigation of the rates and charges applicable to communications between various points in the United States and various points in the West Indies, Central America, and South America.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 8th day of February, 1944;

It appearing that Cable and Wireless of West Indies, Ltd., which operates a cable telegraph service between the continental United States and Puerto Rico in conjunction with The Western Union Telegraph Company, is collecting charges for telegraph communications from Puerto Rico to the continental United States which are different from the charges specified in the applicable legally effective tariff schedules filed with this Commission by Cable and Wireless of West Indies, Ltd., and concurred in by The Western Union Telegraph Company;

It further appearing, that the rates and charges, and related classifications, practices, and regulations, shown in the presently effective tariff schedules filed with the Commission by Cable and Wireless of West Indies, Ltd., and concurred in by The Western Union Telegraph Company, and the rates and charges actually being collected in Puerto Rico by Cable and Wireless of West Indies, Ltd., for telegraph communications to the continental United States from Puerto Rico, are contrary to the principles decided upon by this Commission in its report and order of June 22, 1943 (T-29), in its Docket No. 6046, with respect to rates between the United States and the West Indies, including Puerto Rico;

It is ordered, That an investigation be, and it is hereby, instituted into the mat-

FEDERAL REGISTER, Wednesday, February 16, 1944

ter of rates and charges, and related classifications, practices, and regulations, for and in connection with telegraph communication service between the continental United States and Puerto Rico;

It is further ordered, That Cable and Wireless of West Indies, Ltd., and The Western Union Telegraph Company shall appear and show cause why the Commission should not order each of them immediately to cease and desist from the charging, demanding, collecting, or receiving of a different compensation for telegraph communications from Puerto Rico to the continental United States, or for any service in connection therewith, than the charges specified in the applicable legally effective tariff schedules of Cable and Wireless of West Indies, Ltd., on file with this Commission, and concurred in by The Western Union Telegraph Company, and why the Commission should not order each of them immediately to cease and desist from engaging or participating in such communications unless and until charges are made, demanded, collected or received for such communications which are in accordance with the charges specified in such tariff schedules;

It is further ordered, That Cable and Wireless of West Indies, Ltd., and The Western Union Telegraph Company shall also appear and show cause why the matter of the apparent violations of the Communications Act of 1934, as amended, constituted by noncompliance with applicable legally effective tariff schedules on file with the Commission, should not be referred by the Commission to the Attorney General of the United States with the request that all necessary proceedings for the enforcement of the provisions of the act and for the punishment of such violations, in accordance with the provisions of the act, be instituted and prosecuted;

It is further ordered, That Cable and Wireless of West Indies, Ltd., and The Western Union Telegraph Company shall also appear and show cause why they should not forthwith establish rates and charges, and related classifications, practices, and regulations, for and in connection with telegraph communications to the continental United States from Puerto Rico which are in conformity with the principles decided upon by the Commission in its report and order of June 22, 1943, in Docket No. 6046;

It is further ordered, That a hearing with respect to the above matters be, and it is hereby scheduled to begin at 10:00 a. m. on the 2d day of March 1944, at the offices of the Commission in Washington, D. C.;

It is further ordered, That Commissioner Ray C. Wakefield, who is authorized to conduct such proceedings as may be held in Docket No. 6046, be and he is hereby, authorized to conduct also the proceeding in Docket No. 6575 and to submit appropriate reports thereon.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-2181; Filed, February 14, 1944;
12:16 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-524]

CONSOLIDATED GAS UTILITIES CORPORATION

NOTICE OF APPLICATION

FEBRUARY 14, 1944.

Notice is hereby given that on February 7, 1944, the Consolidated Gas Utilities Corporation, a Delaware corporation having its principal place of business in Oklahoma City, Oklahoma, filed an application with the Federal Power Commission for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the construction and operation of the facilities hereinafter described, and for authorization to abandon a certain portion of its transmission facilities under section 7 (b) of the Natural Gas Act.

The proposed construction consists of a 4 1/2-inch gas pipe line approximately 5,280 feet in length, to replace 1 1/2 miles of 5 1/2-inch Boiler Flue pipe line, the former to serve Applicant's existing distribution system in the City of Sterling, Rice County, Kansas. The pipe line to be installed will begin at a connection with Applicant's 6 5/8-inch gas pipe line at the Northeast corner of Section 16, Township 21 South, Range 8 West, Rice County, Kansas, and extend in a Southwesterly direction 5,280 feet along the East line of Section 16 to a point of connection with Applicant's existing distribution system in the City of Sterling, Kansas.

The pipe line which Applicant seeks authorization to abandon consists of approximately 1 1/2 miles of 5 1/2-inch Boiler Flue pipe line commencing at a connection with Applicant's previously installed 8-inch gas transmission line in the North half of the Southwest quarter of Section 13, Township 21 South, Range 8 West, Rice County, Kansas, and extending in a Southwesterly direction across the North half of the Southwest quarter of said Section 13, and across the South half of Section 14, Township 21 South, Range 8 West, Rice County, Kansas, to a connection with Applicant's previously installed 4-inch gas pipe line at the West line of the South half of said section 14.

Applicant states that the use of the 1 1/2 miles of Boiler Flue pipe during the last five years has required continuous maintenance expenditures to prevent excessive leakage of gas, and that the condition of the 5 1/2-inch line is such that adequate repairs can no longer be made.

Applicant asserts that no customers are served from the 5 1/2-inch line which it requests authorization to abandon, and that the new 4 1/2-inch line will eliminate the maintenance expense and excessive leakage of gas caused by the operation of the existing 5 1/2-inch line.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 1st day of March, 1944, file with the Federal Power Commission a petition or protest

in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-2196; Filed, February 15, 1944;
10:01 a. m.]

FOREIGN ECONOMIC ADMINISTRATION.

SIGFRIED OLSEN SHIPPING COMPANY

DENIAL OF LICENSE PRIVILEGES

In the matter of Sigfried Olsen Shipping Company, One Drumm Street, San Francisco, California. Decision and Order on Appeal in Case No. 26.

Pursuant to Part 307 of the regulations adopted under section 6 of the Act of July 2, 1940, as amended, the Trade Intelligence Division of the Office of Exports, Office of Economic Warfare (now Trade Intelligence Division of the Requirements and Supply Branch, Foreign Economic Administration) charged the Sigfried Olsen Shipping Company (hereinafter referred to as appellant) with violations of section 6 of the Act of July 2, 1940, as amended, and the regulations adopted pursuant thereto. Appellant filed a written answer to said charges and the matter came on for oral hearing before Kelly Kash, Compliance Commissioner, for the Administration. The Compliance Commissioner received the evidence presented and after due consideration of the record, on the 11th day of January 1944, filed his findings of fact and recommendations in this matter.

The Compliance Commissioner found that the appellant had violated section 6 of the Act of July 2, 1940, as amended, and the regulations adopted pursuant thereto and, on the 13th day of January 1944, J. C. Foulis, Deputy Chief, Requirements and Supply Branch, Bureau of Supplies, Foreign Economic Administration, upon consideration of the record, findings of fact, and recommendation of the Compliance Commissioner in the matter, issued an order denying to appellant and any person, association, or organization acting in its behalf, or for its account, the privilege of obtaining individual, or any other type of export license or release certificate, and the use of any general or other type of export license authorizing any exportation whatsoever from the United States until February 29, 1944, and revoking all outstanding export licenses or release certificates issued to said appellant.

The appellant, within ten days after receipt of a copy of said order, duly filed a written appeal from said order to the undersigned, Director of the Requirements and Supply Branch, Bureau of Supplies, Foreign Economic Administration. The undersigned, having reviewed the record, findings of fact, conclusions, and recommendations of the Compliance Commissioner in this matter, and having given due consideration to the grounds set forth in the appellant's appeal, finds that the facts

and conclusions of the Compliance Commissioner are supported by the record and that the order issued pursuant thereto on January 13, 1944, by J. C. Foulis, Deputy Chief, Requirements and Supply Branch, Bureau of Supplies, Foreign Economic Administration, while disregarding the recommendations of the Compliance Commissioner as to the disciplinary action to be taken, was proper and ought not be modified.

Now, therefore, it is determined and ordered, That the said order of the Deputy Chief, Requirements and Supply Branch, Bureau of Supplies, Foreign Economic Administration, denying to the appellant and any person, association or organization acting in its behalf or for its account, the privilege of obtaining individual or any other type of export license or release certificate and the use of any general or any other type of export license authorizing any exportation whatsoever from the United States until February 29, 1944, and revoking outstanding export licenses and release certificates issued to the appellant, is affirmed.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order 1, 8 F.R. 9938; E.O. 9380; 8 F.R. 13081; Delegation of Authority 20, 8 F.R. 16235; Delegation of Authority 21, 8 F.R. 16320)

Dated: February 12, 1944.

S. H. LEBENSBURGER,

Director,

Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 2195; Filed, February 15, 1944;
9:35 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 178, Gen. Permit 4]

FATS AND OILS

DISREGARD OF CERTAIN REFRIGERATION REQUIREMENTS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 178 insofar as it applies to the furnishing or supplying of a refrigerator car or cars to be loaded with, or the transporting or moving of a refrigerator car or cars loaded with mixed shipments of lard, lard compounds, lard substitutes, rendered pork fats, vegetable oil shortening, cooking and salad oil, or animal tallow, in combination with fresh meats or packing house products not covered by that order which require refrigeration.

The waybills shall show reference to this general permit.

This permit shall become effective at 12:01 p. m., February 9, 1944.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car serv-

ice and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of February 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-2203; Filed, February 15, 1944;
11:19 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2423, Amdt.]

FRANCES C. SELTER

Whereas pursuant to Vesting Order Number 2423 of October 20, 1943, the undersigned purported to vest all right, title, interest and claim of any kind or character whatsoever of "Francesca M. Loder" and "Herbert Raymond Loder" in and to the Estate of Frances C. Selter, deceased; and

Whereas through clerical error the names "Francesca M. Loder" and "Herbert Raymond Loder" appear in such Vesting Order as "Francesca M. Lodor" and "Herbert Raymond Lodor";

Now, therefore, Vesting Order Number 2423 is hereby amended by substituting the names "Francesca M. Loder" for "Francesca M. Lodor" and "Herbert Raymond Loder" for "Herbert Raymond Lodor" in such vesting order.

All other provisions of said Vesting Order Number 2423 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on February 9, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-2155; Filed, February 14, 1944;
11:12 a. m.]

[Vesting Order 2983]

DR. EDMOND RISZDORFER

In re: Interest of Dr. Edmond Riszendorfer in an agreement with Eastman Kodak Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Dr. Edmond Riszendorfer is a resident of Hungary and is a national of a foreign country (Hungary);

2. That the property described in subparagraph 3 hereof is property of Dr. Edmond Riszendorfer;

3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Dr. Edmond Risz-

dorfer by virtue of an agreement dated July 30, 1934, by and between Dr. Edmond Riszendorfer and Eastman Kodak Company (including all modifications of and supplements to such agreement, including, but not by way of limitation, certain cables between said parties dated July 10, July 15 and July 18, 1941) which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 2,076,482,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form AFC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 22, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-2156; Filed, February 14, 1944;
11:09 a. m.]

[Vesting Order 2985]

DR. ALEXANDER WACKER GESELLSCHAFT FÜR ELEKTROCHEMISCHE INDUSTRIE, G. M. B. H.

In re: Patents, patent application, and interests of Dr. Alexander Wacker Gesellschaft für Elektrochemische Industrie, G. m. b. H. and others in agreements with Chemische Forschungsgesellschaft m. b. H. and E. I. du Pont de Nemours & Company and between The Roessler & Hasslacher Chemical Company and Consortium für Elektrochemische Industrie, G. m. b. H. relating, among other things, to Patent No. 1,898,301.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

FEDERAL REGISTER, Wednesday, February 16, 1944

and pursuant to law, the undersigned, after investigation, finding:

1. That Dr. Alexander Wacker Gesellschaft fur Elektrochemische Industrie, G. m. b. H., Consortium fur Elektrochemische Industrie, G. m. b. H. and Chemische Forschungsgesellschaft m. b. H. are corporations organized under the laws of and having their principal places of business in Germany and are nationals of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Dr. Alexander Wacker Gesellschaft fur Elektrochemische Industrie, G. m. b. H. and/or Consortium fur Elektrochemische Industrie, G. m. b. H. and/or Chemische Forschungsgesellschaft m. b. H.;

3. That the property described as follows:

(a) All right, title and interest including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patents:

Patent Number, Date of Issue, Inventor, and Title

1,642,689, 9-20-27, Martin Mugdan and Joseph Wimmer, method of preparation of methyl formate.

1,730,587, 10-8-29, Martin Mugdan and Joseph Wimmer, process for the production of butyric aldehyde.

2,162,616, 6-13-39, Willy O. Herrmann, Hans Deutsch and Bruno von Zychlinski, process for the manufacture of artificial resins.

(b) Patent application identified as follows:

Serial Number, Date of Filing, Inventor, and Title

326,536; 3-28-40; Ludwig Egger; Production of hard resistant tubes, plates, rods, etc. out of polyvinyl chlorides.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Consortium fur Elektrochemische Industrie G. m. b. H. by virtue of an agreement dated March 26, 1930 (including all modifications thereof and supplements thereto, if any) by and between The Roessler & Hasslacher Chemical Company and Consortium fur Elektrochemische Industrie, G. m. b. H., which agreement relates, among other things, to Patent No. 1,898,301,

(d) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Dr. Alexander Wacker Gesellschaft fur Elektrochemische Industrie, G. m. b. H. and Chemische Forschungsgesellschaft m. b. H., and each of them, by virtue of an agreement dated February 15, 1936 (including all modifications thereof and supplements thereto, including, but not by way of limitation, agreements dated February 17, 1936 and April 1, 1937 and letters dated November 1, 1939, June 29, 1940, November 4, 1940, January 9, 1941 and May 5, 1941), by and between Dr. Alexander Wacker Gesellschaft fur Elektrochemische Industrie, G. m. b. H., Chemische Forschungsgesellschaft m. b. H. and E. I. du Pont de Nemours & Company, which agreement relates, among other things, to Patent No. 1,898,301,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including

appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 22, 1944.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-2157; Filed, February 14, 1944;
11:10 a. m.]

[Vesting Order 2997]

GLASFABRIK SOPHIENTHUTTE, RICHARD BOCK,
G. M. B. H.

In re: Patent and interest of Glasfabrik Sophienhutte, Richard Bock, G. m. b. H. in agreements with American Thermos Bottle Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Glasfabrik Sophienhutte, Richard Bock G. m. b. H. is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Glasfabrik Sophienhutte, Richard Bock, G. m. b. H.;

3. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 24, 1944.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor, and Title

1,960,045; 5-22-34; Max Batschuk and Wilhelm Hodecker; Process for the manufacture of double walled flasks.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Glasfabrik Sophienhutte, Richard Bock, G. m. b. H. by virtue of an agreement dated February 15, 1929 (including all modifications thereof and supplements thereto, if any) by and between Glasfabrik Sophienhutte, Richard Bock G. m. b. H. and American Thermos Bottle Company, which agreement relates, among other things, to United States Letters Patent No. 1,623,311,

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Glasfabrik Sophienhutte, Richard Bock G. m. b. H. by virtue of an agreement dated July 9, 1932 (including all modifications thereof and supplements thereto, if any) by and between Glasfabrik Sophienhutte, Richard Bock G. m. b. H. and American Thermos Bottle Company, which agreement relates, among other things, to United States Letters Patent No. 1,960,045.

[F. R. Doc. 44-2158; Filed, February 14, 1944;
11:10 a. m.]

[Vesting Order 2998]

I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT

In re: Patent No. 2,267,124 and interests of I. G. Farbenindustrie Aktiengesellschaft in agreements between Durand & Huguenin A.-G. and certain American Corporations relating to patents.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Walter Mieg, Franz Wieners, Wilhelm Bauer and Bernhard Bollweg are residents of Germany and are nationals of a foreign country (Germany);

2. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

3. That the property described in subparagraph 5a hereof is property of Walter Mieg, Franz Wieners, Wilhelm Bauer and Bernhard Bollweg;

4. That the property described in subparagraphs 5b, 5c, 5d and 5e hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

5. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date of Issue, Inventor, and Title

2,267,124; 12-23-41; Walter Mieg, Franz Wieners, Wilhelm Bauer, Bernhard Bollweg; Leuco-sulphuric acid esters of anthraquinone-naphthalene-carbazoles.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement executed under dates of August 18, 1933 and September 21, 1933 (including all modifications thereof and supplements thereto, including, but not by way of limitation, letters dated September 6, 1934 and December 9, 1939) by and between Durand & Huguenin A.-G., General Aniline Works, Inc. and General Dyestuffs Corporation, which agreement relates, among other things, to Patent No. 1,575,958.

(c) All interests and rights created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement between E. I. du Pont de Nemours & Company and I. G. Farbenindustrie Aktiengesellschaft as evidence by a letter dated June 6, 1935 from E. I. du Pont de Nemours & Company to I. G. Farbenindustrie Aktiengesellschaft, which agreement relates, among other things, to Patent No. 1,877,146.

(d) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated July 22, 1935 (including all amendments thereof and supplements thereto, including, but not by way of limitation, an agreement executed under dates of August 28, 1936 and September 14, 1936 by Durand & Huguenin A.-G. and General Aniline Works, Inc. and a letter dated December 9, 1939 from Durand & Huguenin A.-G. to General Aniline & Film Corporation) by and between

E. I. du Pont de Nemours & Company, General Aniline Works, Inc., General Dyestuffs Corporation, Durand & Huguenin A.-G. and Carbic Color and Chemical Corporation, which agreement relates, among other things, to Patent No. 2,182,140.

(e) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated November 29, 1939 (including all modifications thereof and supplements thereto, including, but not by way of limitation, a letter dated December 9, 1939 from Durand & Huguenin A.-G. to General Aniline & Film Corporation) by and between General Aniline Works, Inc. and Durand & Huguenin A.-G., which agreement relates, among other things, to Patent No. 2,224,280, is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 24, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-2159; Filed February 14, 1944;
11:10 a. m.]

[Vesting Order 2999]

I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT

In re: Interest of I. G. Farbenindustrie Aktiengesellschaft in an agreement dated

May 31, 1933 with E. I. du Pont de Nemours & Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated May 31, 1933 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and E. I. du Pont de Nemours & Company, which agreement relates, among other things, to Patent No. 1,939,292, is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 24, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-2160; Filed, February 14, 1944;
11:10 a. m.]

FEDERAL REGISTER, Wednesday, February 16, 1944

[Vesting Order 3000]

I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT AND COMPAGNIE DE PRODUITS CHIMIQUES ET ELECTROMETALLURGIQUES ALAIS FROGES ET CAMARGUE

In re: Interests of I. G. Farbenindustrie Aktiengesellschaft and Compagnie de Produits Chimiques et Electrometallurgiques Alais Froges et Camargue in an agreement with Eastman Kodak Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That Compagnie de Produits Chimiques et Electrometallurgiques Alais Froges et Camargue is a corporation organized under the laws of France and is a national of a foreign country (France);

3. That the property described in subparagraph 4 hereof is property of I. G. Farbenindustrie Aktiengesellschaft and Compagnie de Produits Chimiques et Electrometallurgiques Alais Froges et Camargue;

4. That the property described as follows:

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft and Compagnie de Produits Chimiques et Electrometallurgiques Alais Froges et Camargue, and each of them, by virtue of an option agreement dated January 1, 1939 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft, Compagnie de Produits Chimiques et Electrometallurgiques Alais Froges et Camargue and Eastman Kodak Company, which agreement relates, among other things, to United States Letters Patent No. 1,982,985,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft and Compagnie de Produits Chimiques et Electrometallurgiques Alais Froges et Camargue, and each of them, by virtue of every agreement by and between I. G. Farbenindustrie Aktiengesellschaft and Compagnie de Produits Chimiques et Electrometallurgiques Alais Froges et Camargue, relating to United States Letters Patent No. 1,982,985,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries, (France and Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States: *Provided, however, That the property herein vested shall not include any right, title or interest of said Eastman Kodak Company in and to the aforesaid agreement, nor shall such vesting dis-*

turb in any way the right of said Eastman Kodak Company to exercise such option or affect adversely in any way any right, title, interest or privilege it might have as a result of having exercised such option.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 24, 1944.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.[F. R. Doc. 44-2161; Filed, February 14, 1944;
11:10 a. m.]

[Vesting Order 3001]

I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT

In re: Interest of I. G. Farbenindustrie Aktiengesellschaft in an agreement with General Aniline Works, Inc. relating to United States Patents No. 1,787,315 and 1,787,316.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for the breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement evidenced by a letter from I. G. Farbenindustrie Aktiengesellschaft to General Aniline Works, Inc. dated April 15, 1931 (including all modifications of and supplements to such agreement, including, but not by way of limitation, the agreement dated May 4, 1940, between I. G. Farbenindustrie Aktiengesellschaft and General Aniline & Film Cor-

poration) by and between I. G. Farbenindustrie Aktiengesellschaft and General Aniline Works, Inc., which agreement relates, among other things, to United States Patents No. 1,787,315 and 1,787,316,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on January 24, 1944.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.[F. R. Doc. 44-2162; Filed, February 14, 1944;
11:11 a. m.]

[Vesting Order 3003]

I. G. FARBENINDUSTRIE AKTIENGESELLSCHAFT, J. D. RIEDEL AKTIENGESELLSCHAFT AND DEUTSCHE HYDRIERWERKE AKTIENGESELLSCHAFT

In re: Patent and interests of I. G. Farbenindustrie Aktiengesellschaft, J. D. Riedel Aktiengesellschaft and Deutsche Hydrierwerke Aktiengesellschaft in agreements with each other and with Grasselli Dyestuff Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That I. G. Farbenindustrie Aktiengesellschaft, J. D. Riedel Aktiengesellschaft and Deutsche Hydrierwerke Aktiengesellschaft are corporations organized under the laws of and having their principal places of busi-

ness in Germany and are nationals of a foreign country (Germany);

2. That the property described in subparagraph 6a hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described in subparagraph 6b hereof is property of I. G. Farbenindustrie Aktiengesellschaft and J. D. Riedel Aktiengesellschaft;

4. That the property described in subparagraph 6c hereof is property of I. G. Farbenindustrie Aktiengesellschaft and Deutsche Hydrierwerke Aktiengesellschaft;

5. That the property described in subparagraph 6d hereof is property of I. G. Farbenindustrie Aktiengesellschaft and/or J. D. Riedel Aktiengesellschaft and/or Deutsche Hydrierwerke Aktiengesellschaft;

6. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date of Issue, Inventor, and Title

1,853,415; 4-12-32; Fritz Gunther, Curt Schuster and Josef Hetzer; wetting, cleaning and emulsifying agents.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft and J. D. Riedel Aktiengesellschaft, and each of them, by virtue of an agreement executed on January 8, 1926 and January 12, 1926 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and J. D. Riedel Aktiengesellschaft, which agreement relates, among other things, to alkylated aromatic sulfonic acids and patents therefor;

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft and Deutsche Hydrierwerke Aktiengesellschaft, and each of them, by virtue of an agreement entered into in or about 1928 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and Deutsche Hydrierwerke Aktiengesellschaft, which agreement relates, among other things, to certain products sometimes called by the trade names "Nekal" and "Leonil";

(d) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft, J. D. Riedel Aktiengesellschaft and Deutsche Hydrierwerke Aktiengesellschaft, and each of them, by virtue of an agreement entered into in or about January 1927 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and Grasselli Dyestuff Corporation, which agreement relates, among other things, to certain products sometimes called by the trade names "Nekal" and "Leonil."

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification,

and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 24, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-2163; Filed, February 14, 1944;
11:11 a. m.]

[Vesting Order 3004]

KIENZLE TAXAMETER UND APPARATE A. G.

In re: Patent and interest of Kienzle Taxameter und Apparate A. G. in an agreement with Sangamo Electric Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Kienzle Taxameter und Apparate A. G. is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Kienzle Taxameter und Apparate A. G.;

3. That the property identified as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date, Inventor, and Title

Re. 19,481; 2-26-35; Fritz Toewe; Self-starting synchronous motor-drive means for clocks.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement

hereinafter described, together with the right to sue therefor) created in Kienzle Taxameter und Apparate A. G. by virtue of an agreement dated May 15, 1934 (including all modifications thereof or supplements thereto, if any) by and between Kienzle Taxameter und Apparate A. G. and Sangamo Electric Company, relating, among others, to Reissue Patent No. 19,481,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 24, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-2146; Filed, February 14, 1944;
11:11 a. m.]

[Vesting Order 3005]

SOCIETE ANONYME POUR LES APPLICATIONS DE L'ÉLECTRICITÉ ET DES GAZ RARES ETABLISSEMENTS CLAUDE-PAZ ET SILVA

In re: Interest of Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva in agreements between Claude Neon Lights, Inc. and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares

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Etablissements Claude-Paz et Silva is a corporation organized under the laws of France and is a national of a foreign country (France);

2. That the property identified in subparagraph 3 hereof is property of Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva;

3. That the property described as follows: Property identified in Exhibit A attached hereto and made a part hereof,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 24, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva by virtue of an agreement dated December 31, 1937 (including all modifications thereof and supplements thereto, if any) by and between Claude Neon Lights, Inc. and New Jersey Claude Neon Co., which agreement was agreed to and authorized by Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva, said agreement relating, among other things, to United States Patent No. 2,030,957.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement here-

inafter described, together with the right to sue therefor) created in Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva by virtue of an agreement dated December 31, 1937 (including all modifications thereof and supplements thereto, if any) by and between Claude Neon Lights, Inc. and Claude Neon of Connecticut, Inc., which agreement was agreed to and authorized by Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva, said agreement relating, among other things, to United States Patent No. 2,030,957.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva by virtue of an agreement dated December 31, 1937 (including all modifications thereof and supplements thereto, if any) by and between Claude Neon Lights, Inc. and Claude Neon Southern Corporation, which agreement was agreed to and authorized by Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva, said agreement relating, among other things, to United States Patent No. 2,030,957.

(d) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva by virtue of an agreement dated December 31, 1937 (including all modifications thereof and supplements thereto, if any) by and between Claude Neon Lights, Inc. and Electrical Products Corporation, which agreement was agreed to and authorized by Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva, said agreement relating, among other things, to United States Patent No. 2,030,957.

(e) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva by virtue of an agreement dated December 31, 1937 (including all modifications thereof and supplements thereto, if any) by and between Claude Neon Lights, Inc. and Pittsburgh Outdoor Advertising Co., which agreement was agreed to and authorized by Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva, said agreement relating, among other things, to United States Patent No. 2,030,957.

(f) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva by virtue of an agreement dated December 31, 1937 (including all modifications thereof and supplements thereto, if any) by and between Claude Neon Lights, Inc. and Bellows Claude Neon Co., which agreement was agreed to and authorized by Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva, said agreement relating, among other things, to United States Patent No. 2,030,957.

(g) All interests and rights (including all royalties and other monies payable or held

with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva by virtue of an agreement dated December 31, 1937 (including all modifications thereof and supplements thereto, if any) by and between Claude Neon Lights, Inc. and Claude Neon Federal Co., which agreement was agreed to and authorized by Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva, said agreement relating, among other things, to United States Patent No. 2,030,957.

(h) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva by virtue of an agreement dated December 31, 1937 (including all modifications thereof and supplements thereto, if any) by and between Claude Neon Lights, Inc. and Electrical Products Corporation, which agreement was agreed to and authorized by Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva, said agreement relating, among other things, to United States Patent No. 2,030,957.

(i) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva by virtue of an agreement dated December 31, 1937 (including all modifications thereof and supplements thereto, if any) by and between Claude Neon Lights, Inc. and Electrical Products Consolidated, which agreement was agreed to and authorized by Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva, said agreement relating, among other things, to United States Patent No. 2,030,957.

(j) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva by virtue of an agreement dated December 31, 1937 (including all modifications thereof and supplements thereto, if any) by and between Claude Neon Lights, Inc. and Claude Neon Lights of Maryland, which agreement was agreed to and authorized by Societe Anonyme Pour Les Applications De L'Electricite Et Des Gaz Rares Etablissements Claude-Paz et Silva, said agreement relating, among other things, to United States Patent No. 2,030,957.

[F. R. Doe. 44-2147; Filed, February 14, 1944;
11:11 a. m.]

[Vesting Order 3014]

AKTIESELSKAPET KRYSTAL

In re: Interest of Aktieselskapet Krysal in agreement with Semet-Solvay Engineering Corporation and Struthers-Wells Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding;

1. That Aktieselskapet Krystal is a corporation organized under the laws of and having its principal place of business in Norway and is a national of a foreign country (Norway);

2. That the property identified in subparagraph 3 hereof is property of Aktieselskapet Krystal;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Norway);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 25, 1944.

[SEAL] **LEO T. CROWLEY,**
Alien Property Custodian.

EXHIBIT A

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Aktieselskapet Krystal by virtue of an agreement dated February 1, 1943 (including all modifications thereof or supplements thereto, if any) by and between Aktieselskapet Krystal and Struthers Wells Corporation, relating, among others, to patent number 2,164,112, issued June 27, 1939.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Aktieselskapet

Krystal by virtue of an agreement dated July 5, 1939 (including all modifications thereof or supplements thereto, if any) by and between Aktieselskapet Krystal and Semet-Solvay Engineering Corporation, relating, among others, to patent number 2,164,112, issued June 27, 1939.

[F. R. Doc. 44-2148; Filed, February 14, 1944; 11:11 a. m.]

erty Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 27, 1944.

[SEAL] **LEO T. CROWLEY,**
Alien Property Custodian.

[F. R. Doc. 44-2149; Filed, February 14, 1944; 11:12 a. m.]

[Vesting Order 3032]

AUGUSTA B. COLES

In re: Estate of Augusta B. Coles, deceased; File No. D-28-3928; E. T. sec. 6758.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Howard Uhl, Carl Maesel, Jr., and Roland Maesel, as executors, acting under the judicial supervision of the Surrogate's Court, Rockland County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Johanna Charlotte Hortenbach whose last known address is Germany; And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Johanna Charlotte Hortenbach, in and to the estate of Augusta B. Coles, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an ap-

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proper special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 4, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-2150; Filed, February 14, 1944;
11:09 a. m.]

[Vesting Order 3053]

KURT ROSENMEYER

In re: Estate of Kurt Rosenmeyer, deceased; File No. D-28-6562; E. T. sec. 4613.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Anna (Ellen) Rosenmeyer, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany, and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna (Ellen) Rosenmeyer, in and to the estate of Kurt Rosenmeyer, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 4, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-2151; Filed, February 14, 1944;
11:09 a. m.]

[Vesting Order 3054]

FRITZ TEUTER

In re: Mortgage Participation Certificate N137519 in Mortgage #F 1326 (214286) issued by the Title Guarantee and Trust Company to Fritz Teuter (File D-28-6664; E. T. sec. 5294).

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Manufacturers Trust Company, Trustee, acting under the judicial supervision of the Supreme Court, Kings County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Fritz Teuter, Wletze-Steinforde Kreis Celle, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Fritz Teuter in and to the Mortgage Participation Certificate #N137519 in Mortgage #F 1326 (214286)

for \$400.00 issued by the Title Guarantee and Trust Company,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 4, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-2152; Filed, February 14, 1944;
11:09 a. m.]

[Vesting Order 3055]

BRUNO PAUL WEISS

In re: Estate of Bruno Paul Weiss, deceased; File D-28-4149; E. T. sec. 7171.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Elizabeth Weiss, Administratrix, acting under the judicial supervision of the Morris County Orphans' Court, Morris County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Gerhart Weiss, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Gerhart Weiss, in and to the estate of Bruno Paul Weiss, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 4, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-2153; Filed, February 14, 1944;
11:09 a. m.]

[Vesting Order 3099]

NIPPON DRY GOODS COMPANY, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 170, dated September 24, 1942, that Nippon Dry Goods Company, Inc., is a business enterprise within the United States and a national of a designated enemy country (Japan);

2. Having found in the aforesaid order that Kazo Takemura is a national of a designated enemy country (Japan);

3. Finding that the persons listed below have claims against Nippon Dry Goods Company, Inc., in the amount appearing opposite each name, which claims as of March 15, 1943, aggregated \$16,382.61, subject, however, to any accruals or deductions subsequent thereto, and represent interests in said business enterprise:

| Name | Amount |
|------------------------------------------------------------------------|------------------|
| Heirs, executors, administrators and assigns of Y. Takemura (deceased) | \$12,446.97 |
| S. Nakayama | 535.64 |
| Kazo Takemura | 3,400.00 |
| Total | 16,382.61 |

4. Finding that S. Nakayama and the heirs, executors, administrators and assigns of Y. Takemura (deceased), whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including

No. 33—10

appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interests in Nippon Dry Goods Company, Inc., of Kazo Takemura, S. Nakayama and the heirs, executors, administrators and assigns of Y. Takemura (deceased), including but not limited to such interests as are represented on the books and records of said company as accounts and/or notes payable, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on February 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-2154; Filed, February 14, 1944;
11:12 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Region IV Order G-1 Under MPR 280]

FLUID MILK IN WILSON COUNTY, TENN.

Order No. G-1 under Maximum Price Regulation No. 280. Fluid milk. Adjustment of certain wholesale bulk fluid milk prices in Wilson County, Tennessee.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration, Region IV, by § 1351.807 (b) (2) of Maximum Price Regulation No. 280, *It is hereby ordered:*

(a) On and after February 3, 1944, regardless of any contract, agreement, or other obligation, no person shall sell or deliver within Wilson County, Tennessee, fluid milk at wholesale in bulk (other than in glass and paper contain-

ers) to stores, hotels, restaurants and institutions, and no person in the course of trade or business shall buy or receive fluid milk at wholesale in bulk within Wilson County, Tennessee, at a price higher than the maximum price permitted by this order. No person shall offer, solicit or attempt to do any of the foregoing. Lower prices may be paid or offered.

(b) The maximum price for fluid milk sold at wholesale in bulk (other than glass or paper containers) to stores, hotels, restaurants and institutions sold and delivered by any person within Wilson County, Tennessee, shall be:

| Cents | 35 |
|------------|----|
| Per gallon | |

(c) Unless the context otherwise requires, all transactions subject to this order remain subject to all provisions of Maximum Price Regulation No. 280, together with all amendments, supplementary regulations and orders which may have heretofore, or may be hereafter issued.

(d) This order may be revoked, amended or corrected at any time.

(e) This order shall become effective February 3, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this January 29, 1944.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 44-2176; Filed, February 14, 1944;
11:49 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on February 8, 1944.

REGION II

Syracuse, Order No. P-1, Amendment No. 1, filed 1:06 p. m.

REGION III

Charleston, Order No. 1-F, Amendment No. 8, filed 1:04 p. m.

Charleston, Order No. 3-F, Amendment No. 5, filed 1:05 p. m.

Charleston, Order No. 4-F, Amendment No. 2, filed 1:05 p. m.

Charleston, Order No. 5-F, Amendment No. 1, filed 1:05 p. m.

Cleveland, Order No. F-1, Amendment No. 13, filed 1:04 p. m.

Cleveland Order No. F-5, Amendment No. 5, filed 1:04 p. m.

Cincinnati, Order No. 1-F, Amendment No. 15, filed 1:03 p. m.

Columbus, Order No. 5-F, Amendment No. 1, filed 1:03 p. m.

REGION IV

Birmingham, Order No. 2-F, filed 1:02 p. m.

Jackson, Order No. 1-F, Amendment No. 22, filed 1:06 p. m.

Jackson, Order No. 7, Amendment No. 4, filed 1:06 p. m.

Memphis, Order No. 4F, Amendment No. 19, filed 1:05 p. m.

Nashville, Order No. 2-W, filed 1:06 p. m.

Nashville, Order No. 12, Amendment No. 1, filed 1:03 p. m.

Savannah, Order No. 14, filed 1:02 p. m.

FEDERAL REGISTER, Wednesday, February 16, 1944

REGION V

Lubbock, Order No. 10, Amendment No. 1, filed 1:04 p. m.
 San Antonio, Order No. 1-F, Amendment No. 1, filed 1:07 p. m.
 San Antonio, Order No. 2-F, Amendment No. 1, filed 1:07 p. m.

REGION VI

Milwaukee, Order No. 3-F, filed 1:03 p. m.
 Milwaukee, Order No. 4-F, filed 1:05 p. m.

REGION VII

Utah, Rev. Order No. 3, Amendment No. 2, filed 1:02 p. m.

REGION VIII

Los Angeles, Order No. L. A.-5, Amendment No. 9, filed 1:07 p. m.
 Los Angeles, Order No. L. A.-6, Amendment No. 9, filed 1:08 p. m.
 Los Angeles, Order No. L. A.-7, Amendment No. 9, filed 1:08 p. m.
 Los Angeles, Order No. L. A.-8, Amendment No. 9, filed 1:08 p. m.
 San Diego, Order No. 1-F, Amendment No. 21, filed 1:07 p. m.
 Sacramento, Order No. 3-F, Amendment No. 3, filed 1:07 p. m.

Copies of these orders may be received from the issuing offices.

ERVIN H. POLLACK,
 Secretary.

[F. R. Doc. 44-2189; Filed, February 15, 1944;
 9:03 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on February 7, 1944.

REGION I

Augusta, Order No. 11, Amendment No. 1, filed 2:36 p. m.
 Augusta, Order No. 12, Amendment No. 1, filed 2:36 p. m.
 Augusta, Order No. 13, Amendment No. 1, filed 2:36 p. m.
 Augusta, Order No. 14, Amendment No. 1, filed 2:35 p. m.
 Augusta, Order No. 15, Amendment No. 1, filed 2:35 p. m.
 Augusta, Order No. 16, Amendment No. 1, filed 2:35 p. m.
 Augusta, Order No. 17, Amendment No. 1, filed 2:34 p. m.
 Augusta, Order No. 18, Amendment No. 1, filed 2:34 p. m.

REGION II

New York, Order No. P-1, Amendment No. 1, filed 2:40 p. m.

REGION III

Escanaba, Order No. 1-F, Amendment No. 15, filed 2:26 p. m.
 Escanaba, Order No. 2-F, Amendment No. 14, filed 2:26 p. m.
 Escanaba, Order No. 3-F, Amendment No. 14, filed 2:26 p. m.
 Escanaba, Order No. 4-F, Amendment No. 14, filed 2:26 p. m.
 Escanaba, Order No. 5-F, Amendment No. 14, filed 2:27 p. m.
 Escanaba, Order No. 6-F, Amendment No. 13, filed 2:27 p. m.
 Escanaba, Order No. 7-F, Amendment No. 13, filed 2:27 p. m.
 Escanaba, Order No. 8-F, Amendment No. 18, filed 2:29 p. m.
 Louisville, Order No. 1-F, Amendment No. 16, filed 2:32 p. m.

Louisville, Order No. 2-F, Amendment No. 10, filed 2:32 p. m.
 Louisville, Order No. 3-F, Amendment No. 3, filed 2:34 p. m.

REGION IV

Raleigh, Order No. 4-F, filed 2:40 p. m.

REGION V

Arkansas, Order No. 2-F, Amendment No. 2, filed 2:29 p. m.
 Arkansas, Order No. 3-F, Amendment No. 1, filed 2:31 p. m.

Arkansas, Order No. 4-F, Amendment No. 2, filed 2:31 p. m.
 Arkansas, Order No. 5-F, Amendment No. 2, filed 2:31 p. m.

Arkansas, Order No. 6-F, Amendment No. 2, filed 2:29 p. m.
 Dallas, Order No. 3-F, Amendment No. 2, filed 2:38 p. m.

Fort Worth, Order No. 1-F, filed 2:19 p. m.
 Fort Worth, Order No. 1-F, Amendment No. 1, filed 2:21 p. m.

Fort Worth, Order No. 1-F, Amendment No. 2, filed 2:22 p. m.
 Fort Worth, Order No. 2-F, filed 2:19 p. m.
 Fort Worth, Order No. 2-F, Amendment No. 2, filed 2:23 p. m.

Fort Worth, Order No. 3-F, filed 2:19 p. m.
 Fort Worth, Order No. 3-F, Amendment No. 1, filed 2:22 p. m.
 Fort Worth, Order No. 3-F, Amendment No. 2, filed 2:23 p. m.

Fort Worth, Order No. 4-F, filed 2:21 p. m.
 Fort Worth, Order No. 4-F, Amendment No. 1, filed 2:22 p. m.
 Fort Worth, Order No. 4-F, Amendment No. 2, filed 2:23 p. m.

Fort Worth, Order No. 5-F, filed 2:21 p. m.
 Fort Worth, Order No. 5-F, Amendment No. 1, filed 2:22 p. m.
 Fort Worth, Order No. 5-F, Amendment No. 2, filed 2:23 p. m.

Houston, Order No. 1-F, Amendment No. 1, filed 2:24 p. m.
 New Orleans, Order No. 2-F, Amendment No. 3, filed 2:24 p. m.

Tulsa, Order No. 3-F, filed 2:43 p. m.
 Tulsa, Order No. 4-F, filed 2:44 p. m.

REGION VI

Chicago, Order No. 2-F, filed 2:39 p. m.

Des Moines, Order No. 1-F, Amendment No. 1, filed 2:32 p. m.

Des Moines, Order No. 1-F, Amendment No. 2, filed 2:31 p. m.

Duluth-Superior, Order No. 1-F, Amendment No. 2, filed 2:32 p. m.

Moline, Order No. 28, filed 2:36 p. m.

North Platte, Order No. 1-F, filed 2:39 p. m.

Omaha, Order No. 1-F, Amendment No. 3, filed 2:40 p. m.

Omaha, Order No. 2-F, Amendment No. 1, filed 2:41 p. m.

Omaha, Order No. 3-F, filed 2:41 p. m.

Sioux City, Order No. 1-FR, filed 2:43 p. m.

Sioux City, Order No. 1-FWN, filed 2:43 p. m.

REGION VII

New Mexico, Order No. F-1, Amendment No. 3, filed 2:40 p. m.

Utah, Sec. Rev. Order No. 1, Amendment No. 2, filed 2:44 p. m.

Utah, Rev. Order No. 2, Amendment No. 2, filed 2:45 p. m.

Utah, Rev. Order No. 4, Amendment No. 2, filed 2:45 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
 Secretary.

[F. R. Doc. 44-2188; Filed, February 15, 1944;
 9:03 a. m.]

[Region II Rev. Order G-21 Under RMPR 122]

BITUMINOUS COAL IN NEW YORK REGION

Revised Order No. G-21 under Revised Maximum Price Regulation No. 122. Sales of emergency bituminous coal.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, and for the period commencing with the effective date of this order and expiring on April 30, 1944, *It is hereby ordered:*

(a) In Region II, consisting of the States of Delaware, Maryland, New Jersey, New York, the Commonwealth of Pennsylvania, and the District of Columbia, the maximum prices for sales of emergency bituminous coal, as defined in paragraph (c) hereof, shall be determined in the following manner:

(1) Any dealer making sales of bituminous coal delivered to premises that have, prior to the current heating season, used bituminous coal, shall determine his maximum price for such sales pursuant to the appropriate pricing rule contained in Section 1340.254 of Revised Maximum Price Regulation No. 122. Any dealer who, prior to the current heating season, made yard sales of bituminous coal, shall likewise determine the maximum price for such sales pursuant to the appropriate pricing rule contained in Section 1340.254 of Revised Maximum Price Regulation No. 122.

(2) The maximum price for sales of bituminous coal delivered to premises that have, prior to the current heating season, consumed anthracite or coke, and that have not, prior to the current heating season, used bituminous coal, shall be the sum of:

First, the per net ton cost to the dealer of the bituminous coal, f. o. b. supplier's shipping point;

Second, the actual transportation cost from supplier's shipping point to the dealer's yard, dock, or other terminal facility;

Third, the dealer's margin over alongside costs on like sales of anthracite or coke being replaced, taking into account class of purchaser, quantity of differentials, method and terms of delivery, and the size of the fuel replaced: *Provided*, That, where sales or deliveries are contemplated in communities subject to area dollars-and-cents orders issued under Revised Maximum Price Regulation No. 122, dealers shall add no more than the margins prevailing in the area for such sales of anthracite, and used in the determination of area dollars-and-cents prices. On request, the Regional Office or the appropriate District Office of the Office of Price Administration will notify dealers of those margins which must be reported under paragraph (b) hereof: *And further provided*, That a dealer eligible for compensatory adjustment under Compensatory Adjustment Regulation No. 1 shall, in place of the item marked *Second* in this sub-section (3), substitute the lowest transportation cost he would have incurred during December, 1941, in bringing the bituminous coal to his terminal facility.

(3) The maximum price for yard sales of emergency bituminous coal for dealers who have not, prior to the current

heating season, sold bituminous coal at their yards, shall be the sum of:

First, the per net ton cost to the dealer of the bituminous coal, f. o. b. supplier's shipping point;

Second, the actual transportation cost from supplier's shipping point to the dealer's yard, dock, or other terminal facility;

Third, such dealer's margin over alongside costs on yard sales of buckwheat sized anthracite, sold to other dealers for resale, provided that if such margin is less than \$1.25 per net ton, the maximum price shall be determined by adding an amount not in excess of \$1.25 per net ton to supplier's cost plus transportation as set forth in the previous subparagraphs designated "First" and "Second": *Provided*, That, where sales or deliveries are contemplated in communities subject to area dollars-and-cents orders issued under Revised Maximum Price Regulation No. 122, dealers shall add no more than the margins prevailing in the area for such sales of anthracite, and used in the determination of area dollars-and-cents prices. On request, the Regional Office or the appropriate District Office of the Office of Price Administration will notify dealers of those margins which must be reported under paragraph (b) hereof: *And further provided*, That a dealer eligible for compensatory adjustment under Compensatory Adjustment Regulation No. 1 shall, in place of the item marked Second in this subsection (3), substitute the lowest transportation cost he would have incurred during December, 1941, in bringing the bituminous coal to his terminal facility.

(b) *Reports*. Every dealer subject to this order shall, within ten days after he determines his maximum prices hereunder, report to the District Office of the Office of Price Administration under whose geographical jurisdiction his principal place of business is located:

(1) His maximum price for sales of emergency bituminous coal.

(2) The method employed in computing or determining that price including, where applicable, the margin added to alongside costs for sales to different classes of purchasers.

(3) A statement of the margin over alongside costs on the dealer's similar sale of anthracite coal to different classes of purchasers.

(c) *Definitions*. When used in this Revised Order No. G-21 the term:

(1) "Emergency bituminous coal" means bituminous coal sold as a substitute fuel replacing anthracite or coke, delivered to premises that have, prior to the current heating season, used anthracite or coke, and that have not, prior to the current heating season, used bituminous coal. "Emergency bituminous coal" also comprehends bituminous coal sold at the yard by dealers who have not, prior to the current heating season, made yard sales of bituminous coal.

(2) Unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to all other terms used herein.

(d) This order, which may be revoked, amended, or corrected at any time shall, unless earlier revoked or replaced, expire on April 30, 1944.

NOTE: The record-keeping and reporting requirements of this revised order have been

approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Revised Order No. G-21 shall become effective February 1st, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 1st day of February 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-2192; Filed, February 15, 1944; 9:29 a. m.]

[Region II Order G-26 Under RMPR 122, Amdt. 1]

ANTHRACITE COAL IN NEW YORK REGION

Amendment No. 1 to Order No. G-26 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for "Colonial", "Silver Brook", and "Salem Hill" anthracite sold subject to designated area dollars-and-cents orders.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-26 is amended in the following respects:

1. The description in the title is amended to read as follows: "Permitted increases in maximum prices for 'Colonial', 'Silver Brook', and 'Salem Hill' anthracite, and anthracite produced and prepared by Penn Collieries Company, when sold subject to designated area dollars-and-cents orders".

2. The introductory portion of paragraph (a) is amended to read as follows:

(a) Dealers making sales of "Colonial", "Silver Brook" and "Salem Hill" anthracite, and of anthracite "produced and prepared by Penn Collieries Company", as hereinafter defined, in communities subject to the area dollar-and-cents orders listed in paragraph (c) of this order, may redetermine the maximum price for sales of such "Colonial", "Silver Brook", and "Salem Hill" anthracite, and anthracite "produced and prepared by Penn Collieries Company", in accordance with the following provisions:

3. Paragraph (a) (1) is amended by adding the following additional table of increases:

(a) * * *.
(1) * * *.

FOR SALES OF ANTHRACITE "PRODUCED AND PREPARED BY PENN COLLIERIES COMPANY"

Permitted per net ton increase above applicable area ceiling price for anthracite

Size:
Egg, stove, nut, pea, buckwheat, and rice----- \$0.25

4. Paragraph (b) is amended by inserting immediately after the words "'Salem Hill' anthracite," and immediately before the word "purchased" the words "and anthracite produced and prepared by Penn Collieries Company."

5. Paragraph (d) is amended by redesignating subparagraphs (4) and (5) as subparagraphs (5) and (6), and inserting a new subparagraph (4) to read as follows:

(d) * * *.

(4) "Anthracite produced and prepared by Penn Collieries Company" refers to anthracite taken from mines now operated by said company in Lackawanna County, Pennsylvania, and prepared by it at the Von Storch Colliery. "Penn Collieries Company" refers to the company by that name whose principal office is in Scranton, Pennsylvania.

[F. R. Doc. 44-2193; Filed, February 15, 1944; 9:29 a. m.]

FEDERAL REGISTER, Wednesday, February 16, 1944

This Amendment No. 1 to Order No. G-26 shall become effective January 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of January 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-2191; Filed, February 15, 1944;
9:29 a. m.]

[Region II Order G-30 Under RMPR 122]

PENNSYLVANIA ANTHRACITE COAL IN NEW YORK REGION

Order No. G-30 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for Pennsylvania anthracite sold subject to designated area dollars-and-cents orders.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, and for the period commencing February 1, 1944 and expiring midnight February 29, 1944, *It is ordered:*

(a) Dealers making sales of Pennsylvania anthracite subject to the area dollars-and-cents orders listed in paragraph (b) of this order, may increase the maximum per net ton price for all sizes by 45¢. Where sales are made in fractions of a net ton, the increase shall be proportionate.

(b) *Area dollars-and-cents orders subject to increases set out in paragraph (a) herein.* The following orders and any subsequent revisions thereof:

Second Revised Order No. G-1 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-2 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Revised Order No. G-3 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-5 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Order No. G-6 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122.

Rev. Order No. G-7 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-8 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-9 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-20 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-11 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-12 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-13 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-14 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-15 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-16 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-17 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-18 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Revised Order No. G-19 under § 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-22 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-24 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-25 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. G-27 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122.

Order No. 50 under Revised Maximum Price Regulation No. 122. (Issued by the National Office)

(c) This order which may be revoked, amended, or corrected at any time, shall, unless earlier revoked or replaced, expire at midnight February 29, 1944.

This Order No. G-30 shall become effective February 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 31st day of January 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-2190; Filed, February 15, 1944;
9:29 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF MISCELLANEOUS ITEMS OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4433, 4479, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 163-167, 1028 (46 U.S.C. 375, 391a, 404, 411, 472, 481, 489, 367, 526-526t, 463a), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following miscellaneous items of equipment for the better security of life at sea are approved:

DAVIT

Steward mechanical davit, size 5-6-0-S (Maximum working load of 4,500 pounds per arm) (General Assembly Dwg. No. S-150-D, dated 30 November, 1942, Dwg. No. S-151-D, revised 24 January, 1944, and Dwg. No. S-152-D, revised 21 January, 1944), manufactured by The Landley Company, Inc., 15 Park Row, New York, N. Y.

FEEDWATER REGULATOR

Weir boiler feedwater regulator for marine service (Dwg. No. 1252, dated 22 November,

1943), manufactured by General Regulator Corp., Foster Wheeler Corp., 165 Broadway, New York, N. Y.

FIRE EXTINGUISHER

Type C-D/Fog Model 15K, 15-pound Carbon Dioxide Fire Extinguisher with Navy type squeeze-grip valve (Assembly Dwg. No. CO-233E, dated 23 March, 1943), submitted by The General Detroit Corp., Detroit, Mich.

LIFE FLOATS

15-person and 20-person, Models 15E and 20E, steel life floats (with water and provision compartments) (Dwgs. No. 1744, dated 21 June, 1943, and Part No. 1763, dated 13 January, 1944), submitted by L. A. Young Spring and Wire Corp., 900 High Street, Oakland, Calif.

35-person and 55-person, Models 35E and 55E, steel life floats (with water and provision compartments) (Dwgs. No. 1753, dated 30 November, 1943, and Part No. 1763, dated 13 January, 1944), submitted by L. A. Young Spring and Wire Corp., 900 High Street, Oakland, Calif.

LIFE PRESERVER

Adult kapok life preserver, removable pads, type A-54-R.1 (Dwg. No. S. K. R. 1-44, dated 6 January, 1944) (For general use and for use in conjunction with rubber lifesaving suits). Approval No. B-211, manufactured by Seaway Manufacturing Co., Inc., 213 N. Peters St., New Orleans, La.

LIFE RAFT

"Buck-Win" 20-person, improved type catamaran life raft, reversible, (Dwgs. Design No. 100 F, sheet #1 of 2, dated 12 January, 1944, and sheet #2 of 2 dated 21 January, 1944), constructed by Buckler-Merwin Company, Portland, Oregon.

SEA ANCHOR

Sea anchor, type BB1 (U. S. Coast Guard specification and Dwg. No. MMI-562, dated 1 November, 1943), submitted by Bogardus Brothers, 20 Mechanic Street, New Rochelle, N. Y.

CORRECTIONS—BUOYANT CUSHIONS

15" x 15" x 2" Typha filled buoyant cushion (Dwg. dated 8 December, 1943) (Approval No. B-208), manufactured by The American Pad & Textile Company, Greenfield, Ohio. (For use on motorboats of classes A, 1, and 2 not carrying passengers for hire, for the duration of the National Emergency and six months thereafter.) (This listing replaces that published in the FEDERAL REGISTER dated January 11, 1944, 9 F.R. 432.)

Typha (Cattail floss) standard size buoyant cushion (Approval No. B-198), submitted by Burgess Battery Company, Chicago, Ill. (For use on motorboats of classes A, 1, and 2 not carrying passengers for hire, for the duration of the National Emergency and six months thereafter.) (This listing replaces that published in the FEDERAL REGISTER dated September 30, 1943, 8 F.R. 13305.)

15" x 15" x 2" Typha buoyant cushion (Approval No. B-205), manufactured by Elvin Salow Company, Boston, Mass. (For use on motorboats of classes A, 1, and 2 not carrying passengers for hire, for the duration of the National Emergency and six months thereafter.) (This listing replaces that published in the FEDERAL REGISTER dated December 22, 1943, 8 F.R. 17235.)

R. R. WAESCHE,
Vice Admiral, U. S. C. G.,
Commandant.

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11:51 a. m.]